File Microcopies of Records in the National Archives: No. 133

Roll 68

DESPATCHES FROM UNITED STATES MINISTERS TO JAPAN

Volume 68

December 7, 1894 - July 31, 1895

THE NATIONAL ARCHIVES

Washington: 1949

INTRODUCTION

The 83 volumes reproduced in this microcopy contain communications, with related enclosures, that were received by the Secretary of State from diplomatic representatives of the United States accredited to Japan in the period 1855-1906. The series, which may be referred to as "Diplomatic Despatches, Japan," is part of a larger body of records in the National Archives designated as Record Group 59, General Records of the Department of State. The documents have been reproduced in the order, for the most part chronological, in which they appear in the volumes. Their contents are registered on Roll 1.

The volumes, each of which has been microcopied on a separate roll (except volumes 81 and 81 Annex which have been placed on one roll), are distributed as follows:

Roll	Volume	Inclusive Dates
1	1	March 17, 1855 - June 29, 1858
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33	33	September 4, 1876 - March 6, 1877
34	34	March 7, 1877 - September 19, 1877
35	35	September 24, 1877 - December 31, 1877
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47	47	May 30, 1882 - November 30, 1882
48	48	December 4, 1882 - July 31, 1883
49	49	August 3, 1883 - December 31, 1883
50	50	January 7, 1884 - June 30, 1884
51	51	July 1, 1884 - December 29, 1884
52	52	January 2, 1885 - July 30, 1885
53	53	August 1, 1885 - December 31, 1885
54	54	January 6, 1886 - July 9, 1886
55	55	July 10, 1886 - December 29, 1886
56	56	January 1, 1887 - May 23, 1887
57	57	June 1, 1887 - December 31, 1887
58	58	January 6, 1888 - October 26, 1888
59	59	November 5, 1888 - July 31, 1889
60	60	August 1, 1889 - January 31, 1890
61	61	February 5, 1890 - June 23, 1890
62	62	July 7, 1890 - December 24, 1890
63	63	January 8, 1891 - December 28, 1891
64	64	January 5, 1892 - December 28, 1892
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81	81	September 5, 1905 - February 28, 1906
	81 Annex	November 24, 1905
82	82	March 1, 1906 - August 9, 1906

Most of the communications are original despatches, usually accompanied by enclosures. Some of the enclosures are original notes to the American representatives from officials of the Japanese foreign ministry. Other enclosures were written by American consuls in Japan and, occasionally, by private citizens of the United States. A considerable number of enclosures are copies of communications sent by American representatives to Japanese officials. Pamphlets, newspaper clippings, and other printed matter are sometimes enclosed.

Apart from numbered despatches and enclosures, these volumes contain many unnumbered letters, some of which are marked "Private" or "Confidential." Unnumbered or private letters, more informal than despatches, may report official matters requiring secrecy or not fully covered in the despatches, or may convey personal news, acknowledgments of appointment or recall, announcements of arrival or departure, and statements of official expenses. The volumes also contain telegrams and cables, which were not numbered.

The register to these despatches reproduced on Roll 1 of this microcopy consists of selected pages from a number of State Department registers, which, taken as a unit, comprise a register of these despatches from 1855 to 1906. These register volumes, in their entirety, record diplomatic despatches received by the Department of State from American legations throughout the world from 1789 to 1906. For the period beginning in 1870 the communications reproduced in this microcopy are registered, with those from representatives in other countries, in volumes that have been reproduced as the first 10 rolls of File Microcopy 17, State Department Registers of Correspondence.

In Record Group 59, General Records of the Department of State, in the National Archives there are several series of volumes containing additional material on the relations between Japan and the United States. Complementary to the diplomatic despatches are instructions from the Secretary of State to the diplomatic representatives of the United States accredited to Japan, 1855-1906, which have been reproduced on Rolls 104-108 of File Microcopy 77, Diplomatic Instructions of the Department of State. Additional records pertaining to the relations between the United States and Japan during the period covered by the present microcopy include the

communications ("Notes") exchanged between the Secretary of State and the diplomatic representatives of Japan in Washington. Related to these records, though less directly, are despatches to the Department of State from United States consuls at Nagasaki, 1860-1906 (File Microcopy 131), Kanagawa, 1861-1897 (File Microcopy 135), Yokohama, 1897-1906 (File Microcopy 136), and at Osaka, Hiogo, and Kobe, 1868-1906. All these series were discontinued on August 14, 1906, when the Department of State adopted the practice of filing incoming and outgoing correspondence, not of a routine nature, by subject in a single numerical case file. Correspondence on routine matters was placed in a "minor file." In 1910 this system was abandoned and the Department's present decimal system of subject classification adopted. The numerical case file, the "minor file," and the decimal file are in the National Archives through 1929.

Also in the National Archives, in Record Group 84, Records of the Foreign Service Posts of the Department of State, there are records kept by American diplomatic and consular posts. Although these post records duplicate to some extent the records that were kept in Washington, they supplement them importantly by providing detailed information about many transactions that were only summarized or were not reported on at all in the documents that were transmitted to Washington. File microcopies of these post records have not been made.

In this microcopy the ends of lines next to the binding have not always been reproduced by the camera; a reading of any lines thus affected will be provided upon request by the National Archives.

ROLL CONTENTS.

The volume microcopied on this roll has the following backstrip title: "68 / Japan / Edwin Dun / December 1, 1894, / July 31, 1895. / 201 - 304 / Department / of State." It contains communications, with related enclosures, to the Secretary of State from Edwin Dun, Envoy Extraordinary and Minister Plenipotentiary accredited to the Government of Japan, April 4, 1893.

68

Japan

Edwin Dun

December 1, 1894

December 31, 1895

201-334

INDEX BUREAU
REC'D.
DEC 28 1894
STATE

No. 201.

See instruction to Mr. Dun No. April 3, 1895

Legation of the United States,
Tokyo, Japan, December 7, 1894.

DIPLOMATIC BUREAU
JAN 18 1895

Ack. 19 Jany '95 M

Mr. Dun
to the Secretary of State.

Subject:
The Arrest by the Japanese Authorities of three passengers on board the French Mail Steamer "Sydney."

No. 201.

Legation of the United States,
Tokyo, Japan, December 7, 1894.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

At my request, Viscount Mutsu, H. I. J. M's. Minister for Foreign Affairs, handed me a "Statement of the circum- "stances leading up to the arrest and "detention by the Japanese Authorities "of Chang Fang Moore, John Wilde, "alias John Brown, and George L. Cameron, "alias George Howie," the persons arrested November 5th, 1894, at Kobe, Japan,

Japan, on board the French mail Steamer "Sydney" by the Japanese military authorities.

I have the honor to enclose herewith copy of the statement furnished me by Viscount Muten, also copy of a letter dated November 26, 1894 from E. J. Smithers, Esq., United States Consul at Osaka and Hyogo, together with copy of a protest, signed by John Wilde and George Howie, which accompanied Mr. Smithers letter.

Chang Fang Moore is, I understand, still held by the Japanese military authorities as a prisoner of war.

I have the honor to be,

Sir,

Your

No. 201. II.

Your obedient servant,

Edwin Dun

Enclosures:

1. Statement of circumstances leading to arrest, etc.

2. Letter. Mr. Smithers to Mr. Dun, - Copy -, with protest of Wilde and Davis.

STATEMENT.

Of the circumstances leading up to the arrest and detention by the Japanese Authorities of Chang Fang Moor, John Wilde alias John Brown and George L. Cameron alias George Howie.

Among the numerous offers of service to the Imperial Government by foreigners during the present war was found the following letter addressed to His Imperial Majesty's Minister at Washington:-

Providence R.I. July 3rd, 1894.

To George Tateno

Japanese Minister.

Dear Sir:

Seeing by the papers that there is likely to be war between Japan and China and my sympathy being with Japan and being possessed of secret information which if known by your Government would enable them to destroy the whole Chinese fleet and enable them to capture any forts or water battery without the loss of a man or a ship and the information can be telegraphed to your Government without waiting for the mail no experience needed , I ask nothing until I prove my statements. it will be worth more to Your government than 50 battle ships.

If you have authority to make a bargain I am ready to sell. Awaiting your reply

I remain yours respectfully

John Wilde

1168 Chalkston Ave. Providence R.I.

The Imperial Government have been from the outset anxious to avoid all possible complications with the friendly Powers and acting upon the rule which has been their guide throughout the existing conflict, they did not avail themselves of Mr. Wilde.s services.

On the 25th October the Minister for Foreign Affairs received the following telegram bearing date the previous day, from the Japanese Minister at Washington:-

"Chinese attache by name of Moore; Cameron formerly in "the British navy, an expert in the manufacture of tor- "pedoes and Wilde an American nautical inventor. Three "sailed from San Francisco October 16th. John Wilde "alias Howie and a mariner called Courtney appear to be "Cameron."

The "Gaelic" which left San Francisco October 16th and which was the opportunity indicated by the foregoing telegram arrived at Yokohama at 5 P. M. on the 2nd November and in the list of passengers was found the names of Chan Fan Moore; George Howie and John Brown with Hong Kong as their destination.

These circumstances were in themselve suspicious but they did not appear to be sufficiently conclusive to justify the Imperial Government in taking measures to arrest the suspected persons and consequently nothing was immediately done to prevent the individuals named from pursuing their voyage.

The "Sydney" was despatched form Yokohama on November 3rd at 8 A.M. for Shanghai via Kobe and Nagasaki and it did not

not escape notice that Messrs. Moore, Wilde and Cameron, (the latter two respectively Brown and Howie,) took passage by her for Shanghai, not withstanding their alleged Hong Kong destination.

Mr. Shimamura, H. I. M. Consul General at Mexico, was a passenger on board the "Gaelic" from San Francisco, and during the voyage he overheard remarks and saw indications that satisfied him that the three persons referred to were actually engaged in an undertaking hostile, and perhaps dangerous, to Japan. Before the arrival of the "Gaelic" at Yokohama, one of the passengers, a gentleman of character and known probity, whose name is, however, at his request withheld, acquainted Mr. Shimamura that he had information of the weightiest importance to the Japanese Government regarding some of the passengers, but he added that having in view his own personal safety, he would not impart that information until after he had landed. A meeting was accordingly arranged between Mr. Shimamura and his informant to take place on shore after the arrival of the "Gaelic".

Mr. Shimamura met his fellow passenger on the evening of November 2nd and was then told by him that Messrs. Moore, Brown and Cameron were on their way to China under contract with the Chinese Government to put into operation a system or invention discovered or invented by Wilde whereby it would be possible to destroy the Japanese fleet. The gentleman referred to assured Mr. Shimamura that he had seen the contract between the Chinese Government and the three persons

named

named and he gave details regarding the contents of the contracts. Among other things, he said that the suspected persons had actually received $100,000 U. S. Gold and that the payment of a much larger sum was contingentupon the successful issue of the undertaking and he added that the contractors were taking with them the necessary materials.

Before any decision could be taken by the Imperial Government after the receipt of this information, the "Sydney" had left Yokohama with Messrs. Moore, Wilde and Cameron on board.

After what has already been recited, it is unnecessary to recapitulate all the suspicious circumstances connected with the affair.

It is sufficient to say that they were of such a character as to leave the Imperial Government no choice.

Japan is engaged in a war and she may justly claim for herself all the rights and attributes of a belligerent. One of the prerogatives springing from the status of belligerency is the authority to prohibit absolutely all intercourse with the enemy,whether it be of goods, of correspondence, or of persons, and to adopt all measures to enforce such prohibition

The right therefore of the Imperial Government to take such steps as were necessary to prevent the persons referred to from proceeding to China would seem to be without question, more especially as the purpose of the voyage was inimical to Japan.

The individuals had not, however, been guilty of any offence justiceable by any Consular Court, accordingly, as no

other

other means of reaching them seemed feasible, the Imperial Government resolved to have recourse to their rights as belligerents to stop the suspected persons from carrying out their hostile designs.

Nor can it in justice be urged that the Imperial Government were unreasonably apprehensive regarding the capacity of Messrs. Wilde and Cameron to do them injury. If China had sufficient confidence in the pretensions of those persons to enlist their services against Japan, Japan had, on the other hand, sufficient grounds for preventing those persons from fulfilling their engagements to China.

The "Sydney" was consequently subjected to belligerent search. This search was made on the morning of November 5th; the "Sydney" being at the time within the harbor limits of Kobe. The search was made with the double object of ascertaining whether the vessel was carrying contraband of war and of arresting the suspected persons if it was found that they contemplated engaging in hostile acts against Japan.

No contraband of war was found, but the papers belonging to the suspected persons, which were seized and examined, established the fact that Messrs. Moore, Wilde and Cameron were actually on their way to China for the sole purpose of making war against Japan, and they were accordingly arrested and taken from the ship.

The following are copies of the documents whichwent to confirm the suspicions of the Imperial Government:

Letter from Senator Aldrich to the Chinese Minister.

Senate

Senate Chamber,

Washington, D. C.

Aug. 27.

Dear Sir:

This will be presented by Mr. John Wilde a citizen of Providence Rhode Island who comes to me with the commendation of a leading merchant of that city. Mr. Wilde desires to confer with you in regard to some matter which he will present.

Yours truly,

Nelson W. Aldrich.

To His Excellency

the Chinese Minister.

Letter from Mr. Wilde to Mr. Moore.

Providence, R. I. Sept. 17th, 1894.

Mr. Moore. Dear sir:

I write this that you may ? it to-morrow, as I agreed to do so. But so far as I have been unabl to get any money, or a promise of money. I think it will have to rest with you to get it from the Minister or from some other source.. I tried the Chinamen of this city but they are all poor men and not over patriotic. Although there is a fortune in store for me if I can get to China, yet I cannot go and leave my family unprovided for. But if I get there before the war is over through your endeavors, it means Rank, Honor and Wealth for you. You cannot conceive the amount of good I can do for China. I have not told you half

what

what I can do. In 48 hours after I reach China and deal with your Government, every river and harbor will, or can be protected so as to resist the attacks of the combined fleets of Japan, Russia and France, and that without a fort, gun or torpedo to assist me. It is also necessary that I take some one of experience from here with me. I should have two or three. I think it would be very easy for you to go to New York and call a meeting of some of the principal Chinamen there and state the case to them and I think you would have no trouble in raising the money, as you say you would be sure of it in San Francisco. I stand ready to go with you anytime. But of course you cannot expect me to wait very long on an uncertainty when there is a chance to sell to others; in fact I have been approached by a young Japanese student who is studying at Brown University, and also taking lessons in torpedo practice, with a view of getting me to go and see the Japanese Minister. I listened to him and told him that I would think it over. Of course he does not know that I am dealing with you. But he knows that I went to Brazil. If I go to Chinawith you, and your Minister does not assistus, it will look very bad for him in the eyes of your Government and countrymen. I should think your Minister would put in $6000- as by doing so he would save millions for his Government and the lives of thousands of his countrymen. Now Mr. Moore I have told you all I can think of and I am ready to listen to anything within reason, hoping to hear your views and intentions by return mail,

Remain yours,

John Wilde,
111 River Ave.,
Providence, R. I.

Letter from Mr. Wilde to Mr. Moore.

Providence, R. I., Sep. 20th, 1894.

Mr. Moore. Dear Sir:

Yours of the 19 received and noted. They laugh at you do they. I suppose that means the Minister. Well I will try my best to raise the money and if I can we will go to China. We will destroy the Japanese fleet, recapture the places they have taken, cut off their means of supplies, and carry the war to Japan. then we will see if your Minister will laugh. We will show him, and not only him, but the whole world, that it is no laughing matter. But deeds speak better than words.

Look out for a letter from me, and be prepared to act. Have confidence in me and I will show you that I can do more than I promise to do with my secret system of warfare.

Hoping that I may have good news for you in a day or two,

I remain your friend

John Wilde,
111 Chalkstone Ave.,
Providence, R. I.

Letter from Mr. Wilde to Mr. Moore.

Providence, R. I. Sept. 23, 1894.

Mr. Moore, Dear Sir:

Just

Just

CHAVE 2

Just got your letter this noon and I will say I shall be ready to go with you to China on Tuesday, the 2nd day of October. That will give you time enough I think. You say you want to see Providence and Newport. If you get here as late as Sunday morning, September 30th, we can take in Newport on Sunday, Providence on Monday, and leave for San Francisco Tuesday. Now if this matter meets with your approval, let me know by what boat or train you will come to Providence in, and I will meet you. But if by some chance or misunderstanding, I did not meet you, inquire for the electric car depot, (which is about a few steps from the steam car depot), take the Elmwood car for Chalkstone ave., get off at River Ave. and come to 111- it is but ~~two minutes walk~~ But if you come by boat and I miss you, take the Fall River electric car to electric depot, then take Elmwood car as above described. Leave your baggage at the boat or depot. We will attend to that later. Hoping to see you soon I remain

Your friend,

John Wilde, 111 River Ave. Prov., R. I.

(The following appears at the top of the first page of the original);

"Write full particulars as soon as you can so that I can act "accordingly. Mr. Cameron will go with us. If you can get "here before Sunday, so much the better for you will see "things here that you never saw before."

Two papers headed respectively "Guarantee" and "terms for "Sale of Secret". (These two documents are apparently drafts)

Guarantee.

Be it known that I, John Wilde of Providence, State of Rhode Island, United States of America, being in possession of secret information which, if possessed by the Chinese Government will enable the Government to put an end to the war now going on between Japan and China in quick time, and at small cost without the loss of a man or a ship (to the Chinese Government) except by an accidental stray shot at log range.

What I guarantee to show is this:

First. How to veil the approach of torpedo boats in daylight or search light.

Second. How to land troops at any given point unseen by the enemy .

Third. How to destroy whole fleets whether at anchor or under way.

Fourth. How at a small expense (say $300) an ordinary ocean steamer can be made more than a match for the most powerful battleship afloat.

Fifhh. How to capture war ships without destroying them.

Sixth. How to silence forts, water batteries, torpedo stations, ships, etc. without the use of guns, powder or torpedoes.

I guarantee to explain how to do the above or I will not ask for a dollar.

Terms for Sale of Secret.

Must be an agreement in plain English with Government seal attached.

First. On revealing my secret ten thousand dollars (10,000) in gold or its equivalent paid to me.

Second. After the Government has tried my secret with success, then the said Government pay to me one million dollars($1,000,000) in gold or its equivalent in United States money, in such sums and at such times as may be agreed upon.

Third. And all ships captured by the Government to pay me 15 per cent pervaluation in the shape of prize money.

Fourth. And on all war ships destroyed 10 per cent per valuation in the shape of prize money.

Fifth. And on all vessels used as transports that are destroyed 5 per cent per actual valuation.

Two documents, one headed "Guarantee" and the other "terms of Sale of Secret". The former is signed by Mr. Wilde and the latter without signature . These papers seem to be amended and accepted copies of the two previously recited documents.

'Guarantee.

Be it known that I, John Wilde of Providence, State of Rhode Island, U. S. A., being in the possession of the secret use of certain destructive forces which if possessed by the

Chinese

Chinese Government will enable the Government to put a speedy end to the war now being waged between China and Japan, at small cost amd without losing ships or men except by a stray shot at long range, therefore

What I guarantee to show is as follows:-

First. How to veil the approach of torpedo boats in day light or in search light.

Second. How to land troops at any given point unseen by the enemy.

Third. How to destroy a whole fleet whether at anchor or under way.

Fourth. How at a small expense(say about $300), an ordinary ocean steamer can be made more than a match for the most powerful battleship.

Fifth. How to capture war ships without destroying them.

Sixth. How to silence forts, water batteries, torpedo stations, ships, etc. without the u se of guns , powder or torpedoes.

I guarantee to explain how to do the above or I will not ask one dollar.If the information is not satisfactory, I only require the preservation of the secret which must be guaranteed invioable.

John Wilde.

Terms of Sale of Secret .

An agreement must be made in plain English with the Government seal attached.

First. Upon revealing my secret $10,000 in gold or its equivalent

equivalent must be paid to me.

Second.- After the Government has tried my said secret with success, then the said Government shall pay me one million of dollars in gold or its equivalent in United States money in such sums and at such times as may be agreed upon hereafter.

Third.- Furthermore, on all ships captured by the Government, by use of this secret, said Government shall pay to me fifteen per cent of the actual valuation of said ship or ships as prize money.

Fourth.- Furthermore, om all war ships destroyed by the principle thus revealed, the said Government shall pay me ten per cent of the valuation as prize money.

Fifth.- Furthermore, on all vessels used as transports that may be destroyed as above, the Government shall pay me five per cent of the actual valuation in money as above direct described.

Translation of a letter fromthe Chinese Minister at Washington to Li Hung Chang.

Sept. 29th ,- 1st day 9th Moon.

His Excellency,

Li Hung Chang,

My Dear Sir:

I have written to you a letter on the 28th day 8th Moon of which I presume you have taken note. I have received your telegram informing me that in the battle of Phyong-yang

(Chinese army)

(Chinese army) retreated finding it impossible to stand against the larger numbers (of Japanese troops) . On this subject, foreign news papers deprecate China and exalt Japan; and unscrupulously slander)the former). Their perusal makes one feel indignant and furious. Ever since the naval engagement commenced, there have been received by me hundreds of letters by which military and naval men of this country have offered themselves to go to China to render services and merchants have offered for sale warlike appliances of new types. These make (my) interviews so numerous that (I) could hardly find enough time for them. Here is a man named John Wilde. He has devoted himself to the study of chemistry for over 30 years. He professés that he has a new invention for destroying an enemy. When I first heard of this statement, I did not give credence to it. I inquired of some of my friends and they all told me that a chemical expert must surely have such invention for destroying an enemy. I also he heard that last spring when the Brazilian revolt was at its full blaze, the Brazilian Minister engaged this person but that when he arrived in Brazil the revolt had already been quelled; and consequently his invention has not yet been tested. I, therefore made inquiry of the Brazilian Minister through Chester (?) The Brazilian Minister said that the man was honest deceiving nobody and that he would not defraud any one by telling unscrupulous tales. At this juncture , Chang Fang Moore an interpreter of this Legation, hearing of the loss of Phyong-yang, and belonging, for generations past, to a military class became imbued with patriotic spirit and

asked

asked me to granr him leave of absence that he might return to China and fight the enemy. I was highly pleased with his desire and granted his application. When Moore was about to take John Wilde a large sum of money was required in purchasing explosives, machines etc., in defraying traveling expenses and providing for the family (of Wilde ?) &c., I asked services of Kin San Consul General (San Francisco?) "Kin San gold mine) and let him secretly pursuade merchants and collect the money by a certain method. The merchants heartily sympathized with this and they were only too glad to receive the call for contribution. In two days about $6000. dollars were collected. Thus the party were enabled to leave here quickly. I have ordered Moore to accompany Wilde. On his arrival at Tientsin, please be good enough to receive him and give his invention a trial. If the invention has practical utility you may employ him in the front rank. His counsel may prove of use to you and China's navy may acquire fresh strength.

I respectfully request that you will receive John Wilde and let him do his utmost in what he excels others. Please telegraph me (the result of John Wilde's interview with you and trial of his invention).

Yours respectfully

Yang Su.

All of these documents were found in the possession of Mr. Moore, and while it cannot be said that any of them constituted alone a formal, express and duly executed contract,

they

they, nevertheless, when read together, conclusively prove;
1st - That Mr. Moore was on his way to China to join the military forces of his country as a combatant against Japan;
2nd- That Mr. Wilde received money from Chinese officials before he took his departure from the United States;
3rd - That subject to the conditions named in the paper entitled "Terms of Sale of secret", his services as well as those of his assistant, Mr. Cameron, were at the disposal of the Chinese Government and
4th - That the right of acceptance or rejection of those terms services rested alone with the Chinese Government.

It only remains to add that Messrs. Wilde and Cameron were, on the 11th Novemebr released from arrest upon engaging not to proceed to China until peace is declared and not to assist China in any way, either directly or indirectly, in the present war.

The papers bearing upon this branch of the subject are as follows;

Declaration of Mr. Wilde.

I, the undesigned, hereby solemnly, sincerely and truly swear that:-
1st- I was born in England naturalized to the united States in 1868, am now 52 years of age; my name is John Wilde; my residence is 111 River Avenue, Providence Rhode Islad and my occupation is inventor.
2nd- That, my object in going to China is to sell my secret invention concerning warfare to the Chinese Government.
3rd - That, Senator Nelson W. Aldrich introduced me to the

Chinese

Chinese Minister at Washington; and I offered to sell my secret invention above cited under the terms asshown in the papers I presented to the said Chinese Minister; Chan Fan Moore was the interpreter at that time and kept correspondence with him since .

4th- That I saw the said Moore at Narragansett Hotel on the last Sunday of September; George L. Cameron was there on the first Monday of October; all the three met together at the said hotel.

5th- That I introduced the said Cameron to the said Moore as my assistant.

6th- That I borrowed from the said Moore $900 in gold for my family use.

7th- That I applied to the Chinese Minister to get $10,000 in gold or its equivalent on revealing my secret, but I failed, so I again applied to the said Moore to borrow $5,000 as the expenses and so forth for going to China, but the said Moore could not give me the said sum.

8th- That the terms of agreement with th e said George L. Cameron is to give him 5 per cent of $100,000 and that in consideration thereof is to assist me in carrying out my system.

9th- That I expect the Chinese Government to pay my travelling expenses while in China if any were incurred.

10th- That the said Cameron, the said Moore and I started together from Providence to go to China.

11th- That if I am released from detention I shall come back to America and shall not go to China to sellmy secret invention, and shall never enter into the service of the present warfare for the Chinese Government.

12th- That I do not complain that I was detained on suspicion in connection with Chan Fan Moore, and George L. Cameron.

13th- That I promised to the said Moore to sell my secret invention above cited and prove it to the satisfaction of the Chinese Government.

14th- That I am quite satisfied of the good and kind treatment since I have been detained.

(Signed.) John Wilde.

November 10th, 1894.

Kobe, Japan.

Declaration by Cameron.

Kobe, November 10th, 1894.

I the undersigned hereby solemnly, sincerely, truly and by my free will swear that:-

1st- I was born in Dundee Scotland and am a naturalized citizen

citizen of the United States of America- was naturalised on the 3rd day of November, 1891. I am 28 years of age.

My name is George Howie but on coming to America I took my mother's name of Cameron and proclaimed my intention of becoming a citizen under that name. I have used my family name of Howie for about 4 weeks before leaving America. My address is of Otis Wilkinson, Esq., Counsellor at Law, 206 Broadway, N. Y. City.

2nd- That I was in the service of the Hotchkis Ordnance Co. from about the beginning of June until 3rd of October, reporting and testing torpedoes.

civil
3rd-- That during the Brasilian war, I was onboard the Dynamite Cruiser "Nictheroy", a man-of-war of the Brasilian Government, in charge of guns, torpedoes, ammunition and explosives carried by that vessel.

4th- That I became acquainted with Mr. John Wilde in March, 1894, (about June of the same year I was employed by the Hotchkis Ordnance Co.) Mr. Wilde was staying in Providence at that time.

5th- That the first time I met Mr. Moore was at Mr. Wilde's house about four days before leaving, when I was introduced to him.

6th- That Mr. Wilde offered me five hundred dollars ($500) if

he might receive from any Government to whom he might sell his system, together with a monthly salary to be afterwards agreed upon i n recompense for my services in assisting him with his system.

7th- That my travelling expenses, it was understood, would be refunded to me by John Wilde.

8th- That from Providence Mr. Moore, Mr. Wilde and myself travelled together our way to China, where Mr. Wilde was assured he could sell his system.

9th- That until such time as allevidence may be taken and examined as to myself and Messrs. Moore and Wilde, Captain Kurooka of His Imperial Japanese Majesty's Man-of-War "Tsukuba Kan" is justified in my detention, and I am thoroughly satisfied with my treatment by Captain Kurooka and his officers.

10th- That after my release from detention, I shall not go to China and shall not enter into their service in my capacity nor shall I make contracts with any private individual acting for the Chinese Government until peace is declared.

George Howie.

Formerly Geo. L/ Cameron.

Engagement of Mr. Wilde not to assist China in the present war.

Kobe, November 11th, 1894.

I the undersigned do hereby state and give my word of honor that I will not in any way assist China in the war now pending with Japan, nor shall I give any information to the Chinese Government or to individuals representing the Chinese against Japan, nor shall I sell my invention to them nor enter into any contract with the Chinese Government or individuals acting for them.

I further promise that I shall not visit China under any circumstances until peace is declared.

I regret that I promised the Chinese Government to assist them in the present war with Japan.

John Wilde.

Engagement by Mr. Cameron not to assist China in the present war.

I the undersigned do hereby state and give my word of honor that I will not in any way assist China in the war now pending with Japan, nor shall I give any information to the Chinese Government or to individuals which might be used against Japan, nor shall I enter into any contract with the Chinese Government or private individuals acting for them. I furtherpromise not to visit China under any circumstances until peace is declared.

I regret that I promised to accompany Mr. Wilde for the purpose of assisting the Chinese in the war with Japan.

George Howie, formerly known as Geo. L. Cameron.

Receipt of Mr. Wilde for money.

Kobe, November 11th, 1894.

I the undersigned hereby testify that I have received 500 Yen from the Japanese Government as travelling expenses etc. I give my word that I shall not go to China until peace is declared and shall not enter into any contract with the Chinese Government, nor with any private individuals to enter into their service in any capacity.

John Wilde.

Receipt of Mr. Cameron for money.

Kobe, November 11th, 1894.

I the undersigned hereby testify that I have received 500 Yen from the Japanese Government as travelling expenses et etc. I give my word that I shall not go to China until peace is declared and shall not enter into any contract with the Chinese Government nor with any private individuals to enter into their service in any capacity.

George Howie.

Letters of thanks from Messrs. Cameron and Wilde.

Kobe , November 11th, 1894.

To His Imperial Japanese Government,

Gentlemen:

I wish to express my thanks and gratitude for your kind treatment towards me during my detention.

I also wish to bring to your notice the kind and coute courteous treatment extended to me by Captain Kurooka, officers amd men, who carried out their duties in a highly efficient

manner, and yet were kind andpolite in everything showing themselves to be a credit to the great nation to which they belong.

Your treatment has caused me to deeply regret that I ever entertained the idea of assisting China in the war with your country, and here beg to state that I will in no way, manner or form assist China or enter into their service.

I will also respectfully say that I hope that His Imperial Japanese Majesty and His Family will be successful and prosperous in everything they undertake and that they will ever lead the nation onwards in the paths of light and science.

I trust that the friendly relations now existing between Japan and America will ever continue.

I will close by again thanking you and trust that Japan will soon take her rightful place in the front rank of nations

I am, Gentlemen,

Your obedient servant,

George Howie,

Formerly known as Geo. L. Cameron.

I take pleasure in endorsing everything that Mr. Howie has said as above and especially in wishing success to His Imperial Majesty and His Family and that Japan will show the world, as she has shown us that she is entitled to a place in the front rank among the nations of Europe and America.

John Wilde.

Chinese Legation, Washington,

September 13th, 1894.

Chinese Legation, Washington, Sept. 13, 189

Dear Mr. J. Wilde.

If you accept the proposition I made during our interview, namely, you go to China with me at my expense (going and coming included), I hope you will let me know as soon as convenient, that I can try to get leave or resign.

I assure you that when we get there everything will be arranged as favorably as expected.

An early reply is requested.

Yours very truly,

(Signed) C . F. Moore.

Copie.

Vice Consulat de France a Kobe et Osaka.

Republique Francaise, Kobe, le 5 Novembre, 1894.

Capitaine: En response a la mise de meme que vous m'avez faite verbalement, j'ai l'honneur de vous informer que je ne puis consentir a vous livrer les trois passagers, a savoir deux citoyens Americains et un subjet chinois que vous m'avez declare avoir recu l'ordre de mettre en etat d'arrestation.

Je proteste formellement contre cette arrestation et ne cede, ainsi que le commandant de "Sydney" , Qu'a l'emploi de la force auquel vous me menacez d'avoir recours.

Je vous laisse, en consequence l'entiere responsability d'une arrestation a laquelle vous procederez vous meme et par tels moyens que vous jugerez a propos, ainsi que des consequences eventuelles, directes ou indirectes, immediates

ou

ou ulterieures de cette mesure, et je vous prie de me donner acte de la presente protestation.

Recevez, capitaine, les assurances de ma consideration tres distinguees.

(Signe) P. de Lucy Fossarien.

Monsieur Ishida,

Lieutenant de Vaisseau

Commandant en second le Tsukuba Kan.

Brazilian Minister to Mr. Foster.

Sept. 5th, 1894.

My dear Mr. Foster.

On receipt of your letter of the 30th of August, which reached me only this morning, I sent you the following telegram: "Letter just received. John Wilde was employed by me and went to Rio where his services had no opportunity to be utilized. Am convinced of his honesty and possibility of his work."

After convinced that Mr. Wilde could accomplish a great deal in the way of destruction, sent him to my Government. He was told in Rio to be in readiness to act, and was kept in waiting during some time, the Government ptoviding for his expenses. The moment did not arrive for utilizing him. The Government put down the rebels in the bay without him. I do not know why he was not called upon to act; but I suppose that the Government having at its disposal means of war accepted and recognized by international law, deemed it preferable not to employ means which could perhaps be called barbarous and inhuman and

and inhuman. I cannot reveal Mr. Wilde's secret, but so far as my knowledge of warfare goes, I am entirely convinced that not even Turpin can do the wholesale slaughter that Mr. Wilde can do with his devices, at a relative small cost.

Please accept for yourself and Mrs. Foster our best regards.

Yours sincerely,

Salvador Mendonca.

Providence, R. I. Sep. 22nd, 1894.

Mr. Moore.

Dear Sir:

I got your despatch at 3:30 P. M. which reads thus: "Your note received. Reply on route. Decision. Answer requested." Now I think by that that there is a letter coming to me from you by mail which requires an answer but which will not be due here before tomorrow morning and I will call down to the office to get it so as to make as little delay as possible. I have been trying all day to raise money but I have not been able to do so yet. It will cost me a great deal to get it. You will get this on Monday so I will say no more uhtil I get your note.

Hoping I find good news in your letter I remaim

Your Friend

John Wilde,

111 River Ave., Providence, R. I.

P. S. If we leave Providence on any Tuesday of any week our

our fare to San Francisco will be but $71.60 which includes the berth, but any other day of the week it will cost $75.00 fare and $21.00 for berth which makes $96.00 the first being excursion rates, the fare by steamer to Hong Kong $225.00.

John Wilde.

Washi ngton, Oct. 3, 1894.

My dear Mr. Moore,

It gave me a great deal of pleasure to hear from you. The fact that Mr. Wilde has consented to go with you shows that you have thus far succeeded in your undertaking which we hope you will push on to its ultimate success.

Mr. Pethick surprised me last Friday evening by calling on me at the Legation. I thought he had a month ago left for China. He stopped only a minute and in response to his request I called at his hotel and talked a long while with him. He remembered you and said he would be glad to meet you in China. I said very likely you will call on him and hoped you two may be mutually of service to each other. I dont know what he intends to do, but he may be of service to you whenever you may need it. As you are already known to him a letter of introduction will not be necessary. He will be glad to see you at any time.

Let me knowear hear from you now and then. We shall be most glad to learn of your progress. "Bon voyage" with best wishes from us all.

Yours sincerely,

M. Y. Chung.

Office of
John W. Foster,
1405 I street, N. W. Washington, D. C. Sept. 5, 1894.

Dear Mr. Moore,

I enclose you the answer just received from the Brazilian Minister to my letter.

I suppose the delay was occasioned by his absence from the p lace to which my letter was addressed, as he telegraphed from Portsmouth N. H.

Very truly,

John W. Foster.

No. 1818. Consulate of the United States,
Hyogo, November 6th, 1894.

To Kurooka Tatewaki
Commanding the Training ship
Tsukuba Kan.

Sir:

I have the honor to inform you that information has been received by me that two American citizens named respectively, John Wilde and George Howie, were arrested by your authority last night on the French Mail Steamer "Sydney" and now are held under a strong military guard at the Jintei Hotel in Kobe.

No information having been received by me that martial law has been proclaimedby theJapanese Goverrment at this port I deem it my duty to protest and by this letter do hereby solemnly

solemnly protest against the arrest and detention of the foresaid persons, holding you and whoever may be concerned for the consequences of said unlawful arrest and detention.

I have the honor to be your

Obedient servant,

E. J. Smithers,

Consul.

Chinese Secretary in Providence on a strange errand.

Two Men fron This City

Are said to have enlistedfor the Chinese Service

in the Oriental War.

Disguised as a Japanese.

The Chinaman has bee n doing some quiet work here.

They will startTo-morrow .

Chancy Fan, the Secretary of the Chinese Legation at Washington, is said to be in town to-day on a secret mission connected with the war between his own country and Japan. It is stated that he has secured the services of Lieut. Cameron, who was fighting master of the Nitctheroy when the trip was made to Brazil, and John Wilde of this city, an inventor, and also an old navy man, both of whom will embark in a very few days ofor China, to enter the service of that country. Cameron has been for sometime past in the employ of the Hotchkiss Ordinance Company, connected with the manufacture of the Howell Torpedo and will assume the direction of the use of this article by the Chinese Navy.

Chang Fan arrived here yesterday, it is said, disguised so as not to be recognized, dressed in ordinary American clothes and wearing a wig over his queue, a dress that gives him the appearance of a Japanese.

He is the personal friend of Major Oliver Alers of the Adams Express Company, who is acting as host this afternoon, and is showing Mr. Fan over the city.

At the Narragansett the Chinaman has registered as C. F. Moore, and his identity is well concealed.

In company with Messrs. Alers , Cameron and Wilde he visited several of the big manufacturing concerns in this city and will start to-morrow, he says, with the two gentlemen mentioned, for San Francisco, thence to sail for Hong Kong.

Enclosure 2 with Mr. Dun's No.

Copy.

No. 1832. United States Consulate,

Osaka and Hiogo, November 26, 1894.

Sir:

I have the honor to enclose herewith a copy of a protest filed in this office by John Wilde and George Howie, the persons arrested on the 5th instant in this harbor on board the French Mail steamer "Sydney" by the Japanese military authorities, and detained on shore till the 11th instant, when they were liberated on parol. Since their liberation they have retained an English Barrister here, and have been acting under his advice entirely. On Saturday evening I received a note from them stating that they had decided to leave on the "Tacoma", then about to sail, for Hong Kong via Nagasaki. In taking this step, the Japanese authorities may consider that they have violated their engagement not to go to China, and in this case will order their re-arrest at Nagasaki.

I have the honor to be

Sir,

Your obedient servant,

E. J. Smithers,

Consul.

H. E.

Edwin Dun,

E. E. and M. P. of the

U.S. of America,

Tokio.

Copy.

Kobe, Nov. 15th 1894.

E. J. Smithers Esq.

United States Consul for Osaka and Hiogo.

Sir:-

We John Wilde of the city of Providence Rhode Island in the United States of America, Inventor, and George Howie of the same city, Ordanance expert American citizens beg most respectfully to tender to you this our protest against the treatment which we have received at the hands of the Japanese authorities since our arrival in this port (Kobe) on the morning of the 4th instant.

The treatment of which we complain and against which we have all along since the above date protested and now again protest was and is as follows:

On the morning of the 5th instant while we were on board the French Mail steamer "Sydney" which was lying at the pier our baggage was searched and our private papers were over-hauled by an armed party of Japanese blue-jackets under the command of Lieutenant Gorokuro Ishida in spite of our most emphatic protests and those of the commander of the ship and the Vice Consul for France at this port all of which protests however proved unavailing. After the search of our effects was concluded the Japanese officer in command of the search party informed us both that our movements on the ship would be watched and this proved to be the case as we were "shadowed" by two detectives who kept us under the strictest surveillance till about 11-30 p.m. of that day at which hour the

same

same officer informed us that he had received orders to place us under arrest and conduct us on shore which order he proceeded to at once carry out and in spite of our most emphatic protest in which as before the commander of the ship and the French Vice Consul joined we were marched off surrounded by a party of Japanese blue-jackets with loaded rifles and fixed bayonets, the officers also with drawn swords. Under this guard we were slowly escorted through the streets for, we should say, about three quarters of an hour, till we arrived at a place which we are even now unable to locate but which appeared to be a police station there we were placed in a room and warned not to attempt to converse with each other and the door of the room was left open and sentries posted outside to watch our movements. We were kept in this room for about half an hour and then taken under the same escort to Jiutei Hotel where we were confined in separate rooms and guarded by armed sentries in the passage. We were forbidden to hold any converse with each other and, although we were treated with every consideration by the officers and sentries every movement was watched as before. Next morning we found that a cordon of police had been drawn around the hotel and these police as well as the sentries remained on guard day and night till the 11th instant when we were released from this solitary confinement. During the six days of our imprisonment we repeatedly asked to see our consul but this request, while not being absolutely refused was never complied with. We were not allowed during these six days to hold any communication with the outside world or to see any newspapers.

During our confinement we were more than once summoned to another room in the hotel and subjected to examination by a court composed of (as wew were informed) a naval judge and Captain Kurooka of the Tsukuba Kan assisted by a Japanese interpreter. We, as before, protested against this proceeding and claimed that the court was incompetent to deal with us and had no jurisdiction over us. We were, however, informed by the Court that it had been appointed to try us and that ~~as~~ we were prisoners of war the United States Consul had ~~had~~ no jurisdiction over us. About midnight on Saturday the 10th instant, Captain Kurooka informed us that we were shortly to be set at liberty and about an hour later we were conducted under guard to the same room where we had been examined and found the same gentlemen as before present. Certain papers were then placed before us and we were requested to sign them but refused. At the direction of the judge Mr. Howie then wrote out a paper, the substance of which can, if necessary, be communicated, and this paper we both signed under duress. we were then informed that under instructions from the Government authorities we should each receive a sum of five hundred (500-) dollars and we were asked to sign receipts for that amount which we at once did in order to obtain our freedom without any further delay. These receipts as well as the paper before mentioned we signed under compulsion. We were thwn informed that we were at liberty but were advised to remain in the hotel which advice we followed. We have, however, since obtaining this so called freedom been watched wherever we have gone

and

and two men in a room opposite to ours have kept a watch on our movements both night and day and we are still being "shadowed" by two men whenever we leave the hotel.

Such, Sir, is a plain statement of the treatment we have received at the hands of the Japanese authorities since our arrival at this port a treatment against which we now beg to protest in the most emphatic manner possible. We are both American citizens, citizens of a country at peace with Japan, and we claim that we have been arrested and imprisoned in a most arbitrary and unwarranted manner and in violation of the law of nations.

We venture to address you Sir, as the representative of the people of the United States at thai port and crave your assistance in requesting you to submit this our protest to the proper authorities in whose hands we are willing to leave the whole matter to deal with as they think fit. In conclusion we would say a word in regard to our acceptance of the sum of money before mentioned in order that no misconstruction may be placed on our acceptance of the same. On our arrival here we had only sufficient funds in hand to enable us to reach our destination (Shanghai) and being without funds in this port and being compelled to remain here for a certain period we think that our acceptance of this sum to meet current expenses will be easily understood. We wish, however, to make it clear that as soon as we are in a position to refund this money we shall gladly do so.

We

We have the honor to be,

Sir,

Your obedient servants,

(Signed) John Wilde,

(Signed) George Howie.

No. 202.

Add to the File

Legation of the United States

Tokyō, Japan, December 7, 1894.

DIPLOMATIC BUREAU
DEC 28 1894

Mr. Dun

To the Secretary of State

Subject

Telegrams between the United States Ministers at Peking and Tokyō.

No. 202.

Legation of the United States,
Tōkyō, Japan, December 7, 1894.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to enclose herewith the reading of a telegram from Minister Denby, dated Peking November 30, 1894 and of a telegram from me to Minister Denby dated December 2, 1894.

I have the honor to be,
Sir,
Your obedient servant.
Edwin Dun

Enclosures—2 as above.

Enclosure 1 with Mr. Dun's No. 202.

Reading of telegram from Mr. Denby to Mr. Dun.

Peking, November 30, 1894. 8, a. m.

American Minister Tokio,

Please deliver the following message to the Minister for Foreign Affairs of Japan:

China requests me to say that in your cipher telegram Japan does not state what she would regard as a satisfactory basis for peace hence China has no way of forming any conjecture as to the views of Japan. It is therefore difficult for China to appoint an ambassador to discuss the question of peace. China hopes that Japan will indicate in a general way the questions for the two countries to discuss in order that China may take action. (Note:

Note: Mr. Denby's name does not appear at the end of the above telegram.

Enclosure 2 with Mr. Dun's No. 202.

Reading of telegram from Mr. Dun to Mr. Denby.

December 2, American Minister Peking.

The following is the reply of the Japanese Government to your cipher telegram of November thirtieth.

It seems from the message of the United States Minister at Peking that the Chinese Government are still unsettled as to whether she will sue for peace or not. It was not Japan but China which asked for termination of hostilities, therefore Japan must repeat that only upon the meeting of the Plenipotentiaries appointed from among properly qualified high officials of the two Powers the conditions of peace could be declared by Japan. If that is unacceptable to China then the matter must end. Dun.

DEPARTMENT OF STATE
RECD.
DEC 28 1894

No. 203.

Legation of the United States,
Tokyo, Japan, December 7, 1894.

Mr. Dunn
to the Secretary of State.

Subject:
Special Commissioner from Viceroy
Li Hung Chang to Count Ito
Minister President of State of Japan

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Enclosure to subject copy.

No. 203.

DIPL
JAN 7 1895

Legation of the United States,
Tokyo, Japan, December 7, 1894.

Mr. Dun
to the Secretary of State.

Subject:
Special Commissioner from Viceroy
Li Hung Chang to Count Ito
Minister President of State of Japan.

No. 203.

Legation of the United States,
Tokyo, Japan, December 7, 1894.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to inform you that on the 26th ultimo, Mr. Detring, Inspector General of the Tientsin Customs, arrived at Kobe, Japan, as a special commissioner from Li Hung Chang, Viceroy of Chili, to count Ito, H. I. J. Mis. Minister President of State. It appears that Mr. Detring was the bearer of a letter from Viceroy

Viceroy Li to Count Ito, making overtures for peace. Mr. Detring visited the Governor of Hiogo Ken, at Kobe, and requested that the object of his mission be communicated to Count Ito, then at Hiroshima, and that a meeting between himself and Count Ito might be arranged. Mr. Detring's wishes were at once made known to Count Ito who, after some delay, sent Mr. Ito Mioji, his confidential secretary, to Kobe with a reply to the effect that, as Mr. Detring was not properly accredited by the Government of China, he could not

receive

receive him, or recognize him in any way.

Mr. Dething returned to China on the 29th ultimo.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

No. 204.

Legation of the United States,
Tokyo, Japan, December 19, 1894.

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DIPLOMATIC BUREAU
JAN 12 1895

Answered Jany 14.

M. Dun
to the Secretary of State.

Subject:
Claim of the China and Japan Trading Company for alleged excessive storage charge on kerosene oil collected by the Japanese Government.

No. 204.

Legation of the United States,
Tokyo, Japan, December 19, 1894.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:-

I have the honor to enclose
herewith copy of correspondence
between Mr. Lines, Acting Man-
ager of the China and Japan
Trading Company at Yokohama,
and myself relative to a
claim presented by that firm
against the Japanese Govern-
ment for what Mr. Lines
designates

designates as a loss suffered by his firm since June 7th, 1881, on account of excessive charges collected by the Japanese authorities on Kerosene stored in the government storehouses at Yokohama.

As you will please observe, I have, for reasons set forth in my reply to Mr. Lines, declined to present the claim of the China and Japan Trading Company to the Japanese Government for their consideration.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Enclosures:

1. Mr. Lines to Mr. Dun, Dec. 6th 1884

No. 204. II.

Enclosures:

2. Mr. Dim to Mr. Lines, Dec 11th.

3. Mr. Lines to Mr. Dim, Dec. 12, 1894

Enclosure 1 with Mr. Dun's No. 204.

Copy.

Yokohama, December 6th, 1894.

His Excellency Edwin Dun,

Envoy Extraordinary and Minister Plenipotentiary

of the United States,

Tokio.

Sir:

Having been made acquainted by the Consul General, Mr. N. W. McIvor, that the Imperial Japanese Government had reduced the rate for storage of Kerosene Oil, moved thereto by the solicitations and through the influence of the Standard Oil Co., we brought this to the notice of our Board of Directors at New York, with the view of receiving and, if possible, having remedied a grievance and serious loss which we have been compelled to endure since June 7th, 1881, and we are instructed by them to bring the matter before Your Excellency.

Without burdening you with details in this communication we beg to present the facts as briefly as possible.

In 1879 and prior, the Government had not sufficient Oil storage accomodation, and they gave permission to merchants, ourselves among the number, to buy land at a place called "the Swamp", and to erect godowns thereon for the express purpose of storing Oil, they themselves selling the land. We and othes others bought the land and erected godowns. In 1881 we were notified that hereafter all Oil must be stored in the Government Godowns at Ishikawa which had meanwhile been erected.

We do not call in question the right of the Government to

control

control the storage of this article, but we do the manner of the withdrawal, without compensation, of the necessary concession made in 1879, and which entailed upon us a heavy expense. The godowns being constructed for Oil and so used, were comparatively worthless for other purposes, as was likewise the land for years, and the excessive charge made for Storage at Ishikawa from that period onwards.

An examination of our Books for the period during which we stored in our godowns exhibits that, after allowing full interest on value of land and go downs, an amount for depreciation, for staff, and all and every incidental expense, the cost of storage was less than <u>one quarter of a cent per case per month.</u>

The land at Ishikawa was as cheap as at the Swamp, whilst buildings were of about the same character, and even allowing for special staff of Tide Waiters and Officers, the Government rate should not have exceeded <u>three tenths of a cent</u>,(3/10ths.) the rate we have been compelled to pay has been <u>seven tenths (7/10ths)of a cent</u>, or more than double our estimate for them, and <u>three times</u> what it cost us.
We protested against this at the time and subsequently through the Hon. Jno. A. Bingham and the then Consul General Genl. Van Buren, and doubtless the documents are on file in your aechives. That Your Excellency may see how important the matter has been to us we subjoin the amounts paid by us to the Government for Storage of Kerosene Oil:

1882,	$ 4, 677.39	1889,	$ 6,100.46
1883,	$1, 194.32	1890,	$14,075.07
1884,	$34, 800.54	1891,	$30,637.40
1885,	$ 7,954.76	1892,	$24,290.74

1886,	$ 8,811.45		
1887,	$12,214.83	1893,	$ 5,077.32
1888,	$ 8,619.98	1894,	$ 861.72
	$78,273.27		$81,032.71 .

A total of $159,305.98, of which we contend they should refund at least one-half in principal amount alone.

The quantity of Oil likely to be stored at Ishikawa henceforward will scarcely be as much as has been stored there in the past, bulk oil stored in Tanks being elsewhere and forming an important factor in requirements. We may assume the reason for the Government making the concession in rate now to be an acknowledgment that the charge previously was excessive, and if we are correct in this surmise then the abatement should be made retrospective, and without question from 7/10 ths per case to rate now ruling.

We request Your Excellency's consideration of this, and that you will use your utmost efforts in our behalf, feeling assured that you can put our claim before the Authorities in such a light that they will at once recognize and admit its justice, and make the needed restoration.

We are prepared to submit all details in substantiation of the within, or to give you verbally such further particulars as you may deem necessary if you will acquaint us with their nature.

We have the honor to remain,

Sir,

Your obedient servants,

China and Japan Trading Company, Lim't'd.,

A. J. Lines, Acting Manager.

Enclosure 2 with Mr. Dun's No. 204.

Copy.

No. 130.

Legation of the United States,

Tokyo, December 11th, 1894.

A. J. Lines, Esquire,

Acting Manager of the

China and Japan Trading Company,

Yokohama.

Sir:

I have to acknowledge receipt of your communication of date the 6th instant, calling my attention to what you designate as a grievance and serious loss that yourfirm has been co mpelled to endure since 1881, by the action of the Japanese Government, in connection with the storage of kerosene oil at Yokohama.

A careful examination of the records of this Legation has elicited the following facts:

At the request of the Consuls of the Treaty Powers, the Japanese Government was prevailed upon in 1876-7 to erect godowns at Nakamura,(Ishikawa), Yokohama, for the storage of kerosene oil and, with the approval of the Consuls, regulations for the storage of Kerosene were put into force March 16, 1877. Under these regulations the storage of kerosene, in quantities exceeding 50 gallons, elsewhere than at the Government storehouses or godowns was prohibited. These storage regulations were submitted to and approved by the Consuls of the several Powers at Yokohama.

In

In 1879 the government storehouses at Nakamura were found to be totally inadequate to accomodate the largely increased quantity of kerosene imported and, pending the erection of additional storehouses, permission was granted to importers of kerosene at Yokohama to rent land at a place called"the Swamp" from July, 1879, to July, 1880, upon which they were permitted to store oil temporarily, i.e. ,for one year, the term of their leases. The China and Japan Trading Company availed itself of the permission granted, leased certain lots of land in"the Swamp" and erected storehouses thereon. At the expiration of the lease, the lots occupied by the China and Japan Trading Company were put up at public auction and bought by that company, but it does not appear that the privilege to store oil was continued with the title to the lots in question. That privilege had been granted for a fixed period, to wit- from July, 1879 to July, 1880, and, at the expiration of that time, the privilege or permission to store oil there ceased.

At the time, March 16, 1877, the storage regulations were put into operation, the storage charge on kerosene oil was fixed at 1 sen per case, per month. This charge was concurred in by the Consuls and it must be assumed that it was considerd by them, at that time, just and reasonable. But, upon representations being made to Mr. Bingham, then United States Minister, the matter of storage charges was brought by him to the attention of H. I. J. M's. Government, and a reduction asked for on the ground that those charges were excessive. This representation on the part of the Minister of the United

States

States resulted in an agreement with H. I. J. M's. Government that reduced the storage charge on kerosene from 1 sen per case, per month, to 7 rin per case , per month. The reduced rate for storage went into operation October 1, 1882. The Consuls were notified of the change and there is nothing to show that it was not accepted by them and by the importers as a satisfactory settlement at that time.

During the present year, at the instance of the Standard Oil Company of New York, I made representations to H. I. J. M's. Government relative to the storage charge collected,-7 rin per case-, stating that, in my opinion, it was an excessive charge and asking that it be very considerably reduced. Upon my representations, H. I. J. M's. Government consented to a reduction from 7 rin per case to 3.75 rin per case.

The storage charge of 1 sen per case on kerosene prior to October 1, 1882, and of 7 rin per case until the present rate was adopted, were fixed by agreement between the Representative of the United States, and others, with H. I. J. M's. Government. That agreement fixed the amount of storage on kerosene that the Japanese Government could rightfully collect. The agreement was, for the time being, final, and the right of the Japanese Government to collect the storage chargese fixed by it cannot be questioned now.

In my opinion your claim against H. I. J. M's. Government is not a rightful one. I must, therefore, decline to present it.

I am, Sir,

Your obedient servant,

(Signed.) Edwin Dun.

Enclosure 3 with Mr. Dun's No. 204.

Copy.

Yokohama, December 12, 1894.

His Excellency Edwin Dun,

E. E. and M. P. of the United States,

Tokio.

Sir:

We beg to acknowledge receipt of your letter of the 11th instant in reply to ours of the 6th idem, and to express our obligations for the fulness with which you have considered the matter at issue, whilst regretting the conclusion at which you have arrived.

We are referring the correspondence to our Board of Directors, New York, and meanwhile await their instructions.

We are, Sir,

Yours faithfully,

China and Japan Trading Company, Limited.

A. J. Lines Acting Manager.

3RD ASSISTANT SECRETARY.
Ark. File
JAN 12 1895
No. 205.

DIPLOMATIC BUREAU.
JAN 12 1895

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REC'D.
JAN 11 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, December 20, 1894.

Ack'd 14" Jany '95. m

Mr. Dun
to the Secretary of State.

Subject:
Scott's Emulsion of Cod Liver Oil relieved of Licensed Medicine Stamp Tax.

No. 205

Legation of the United States,
Tokyo, Japan, December 20, 1894.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose herewith
3 4/ copy of correspondence between H. I. J.
His. Minister for Foreign Affairs, Mr.
J. C. Hill, Agent of Messrs. Scott and
Brown, and myself, relative to the
release from the licensed medicine tax
of Scott's Emulsion of Cod Liver Oil.

I have the honor to be,
Sir,
Your

Your obedient servant,

Edwin Dun

Enclosures:

1. Viscount Mutsu to Mr. Dun. Dec. 14, '94.

2. Mr. Dun to Mr. Hill, Dec. 14, '94.

3. Mr. Hill to Mr. Dun. " 15 " .

4 Mr. Dun to Viscount Mutsu, Dec 15, '94.

Enclosure 1 with Mr. Dun's No. 205.

Copy.

Translation.

No. 48. Department of Foreign Affairs,

Tokio, December 14th, 1894.

His Excellency

Edwin Dun,

Envoy Extraordinary and Minister Plenipotentiary of the United States of America.

Sir:

It will be within Your Excellency's recollection that the principal ground upon which the Imperial Government rested their existing right of taxation in respect of Scott's Emulsion of Cod Liver Oil, was the fact that the labels and wrappers of the bottles containing the commodity clearly brought the preparation within the purview of the law relating to Licensed Medicines.

The Representative of Scott's Emulsionhas, as Your Excellency will also remember, declared that the article is purely a food preparation. The Imperial Government are not indisposed to accept that declaration as conclusive, but so long as the present labels and wrappers are used the article cannot be relieved of the tax now imposed.

Accordingly the Representative of Scott's Emulsion has agreed to so modify the external characteristics of the recept acles containing the preparation as to withdraw the article from theoperationof the law in question.

If that measure is carried out in good faith the commodity will

will in future be relieved of the licensed medicine stamp tax. This step on the part of the Imperial Government will , however, be taken, I beg to acquaint Your Excellency, upon the clear understanding that if the preparation is hereafter brought within the purview of the revenue laws of the Empire the right of taxation shall revive.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

(Signed.) Viscount M"tsu Munemitsu,

Minister for Foreign Affairs.

Enclosure 2 with Mr. Dun's No. 205.

Copy.

No. 131. Legation of the United States,

Tokyo, December 14, 1894.

J. C. Hill, Esquire,

Agent for the Proprietors of

Scott's Emulsion of Cod Liver Oil.

Sir:

I enclose herewith copy of a communication from H. I. J. M's. Minister for Foreign Affairs, informing me that if new labels and wrappers consistent with exemption from the operation of the law relating to Licensed Medicines will in the future alone be used upon the prepation known as Scott's Emulsion of Cod Liver Oil, that preparation will be relieved of the Licensed Medicine Stamp Tax.

If the arrangement of this amtter as proposed by H. I. J. M's. Government, is an acceptable one, I have to request that you will formally notify me of that fact in writing.

I am, Sir,

Your obedient servant,

(Signed.) Edwin Dun.

Enclosure:

Copy of communication from the Minister for Foreign Affairs.

Enclosure 3 with Mr. Dun's No. 205.

Copy.

Yokohama, December 15th, 1894.

His Excellency

Edwin Dun,

U. S. Minister.

Sir:

I have the honor to acknowledge the receipt of Your Excellency's communication of the 14th instant, enclosing a copy of a note from His Imperial Japanese Majesty's Minister for Foreign Affairs on the subject of the taxation of Scott's Emulsion of Cod Liver Oil.

I beg to confirm my previous declaration that the Emulsion in question is purely a food preparation. As the labels and wrappers at present employed on the bottles containing the preparation are not in any way essential to the use of the article, new labels and wrappers, consistent with exemption from the operation of the law relating to Licensed Medicines, will in future alone be used.

Recognizing as I do the right of taxation on the part of the Japanese Government, I beg on behalf of my principals to assure Your Excellency, and through you the Japanese Government that I acknowledge without qualification that in the event Scott's Emulsion is at any time hereafter brought within the purview of the revenue laws of Japan, the right og taxation will, ipso facto, revive.

I remain Your Excellency's

Obedient servant,

J. C. Hill, Agent for the proprietors of

Enclosure 4 with Mr. Dun's No. 205.

Copy.

No. 88. Legation of the United States,

Tokyo, December 15, 1894.

His Excellency

Viscount Mutsu Munemitsu,

His Imperial Japanese Majesty's Minister for Foreign Affairs.

Sir:

I have the honor to acknowledge the receipt of Your Excellency's Note of date the 14th instant, informing me that the representative in Japan of Scott's Emulsion of Cod Liver Oil having agreed to so change the labels and wrappers of the bottles containing that preparation as to withdraw it from the operation of the law relating to Licensed Medicines, Your Excellency's Government will, in the future, relieve the commodity of the licensed medicine stamp tax, if the change indicated above is carried out in good faith.

I am also informed by Your Excellency that this step is taken by the Imperial Government on the clear understanding that if the preparation is again brought within the purview of the revenue laws of the Empire, the right of taxation shall revive.

Having communicated with Mr. J. C. Hill, the representative of the proprietors of Scott's Emulsion, and enclosed to him a copy of Your Excellency's Note under reply, I now have the honor to enclose herewith for Your Excellency's information, copy of Mr. Hill's reply to my letter to him accepting on behalf of his principals, without qualification, the

conditions

conditions upon which Scott's Emulsion of Cod Liver Oil is relieved, by Your Excellency's Government, of the Licensed Medicine Stamp Tax.

The arrangement of this matter as indicated above being satisfactory to the proprietors of Scott's Emulsion, I have the honor to inform Your Excellency that it will also be satisfactory to my Government.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

(Signed.) Edwin DuN.

Enclosure:
Mr. Hill to Mr. Dun.- Copy.

3RD ASSISTANT SECRETARY.
Ack & file
JAN 12 1895

DIPLOMATIC BUREAU.
JAN 16 1895

Secretary of State.
JAN 15 1895

No. 206.

INDEX BUREAU
REC'D.
JAN 11 1895
DEPT. of STATE

Legation of the United States,
Tokyo, Japan, December 20, 1894.

Ack'd 17 "Jany '95."

Mr. Dun
to the Secretary of State.

Subject:
The affair of Port Arthur subsequent to the capture of that town by the Japanese forces.

No. 206.

Legation of the United States,
Tokyo, Japan, Decembr. 20, 1894.

Honorable W. Q. Gresham
Secretary of State,
Washington. D. C.

Sir:-

You have doubtless seen a telegram from Mr. James Creelman, dated Yokohama Decembr 11th to the New York "World" giving an account of what occurred at Port Arthur after the capture of that place by General Oyama's forces on the 21st of Novembr last. That telegram was re. transmitted from

from New York to Viscount Mutsu, H. I. J. M's. Minister for Foreign Affairs, who has sent a copy of it to me. I have also heard from Mr. Creelman's lips his account of the capture of Port Arthur and of what took place immediately after the capture.

Viscount Mutsu returned to Tokyo from Hiroshima on the 15th instant. On that day I sought and obtained an interview with him and related to him the terrible story of the massacre at Port Arthur as I heard it from Mr. Creelman, and asked him if he desired to make any statement in regard to it. Viscount

Mutsu

Minister replied that a searching investigation had been ordered by his Government to ascertain just what had occurred at Port Arthur; that until the result of that investigation was made known to him, he could not make an exact statement of what occurred, but he said to me frankly that the Japanese Government and people recognized and deplored the fact that a much greater number of Chinese soldiers had been killed at Port Arthur than was necessary; that the Japanese officers and men were maddened by the atrocities committed upon their

their comrades who had fallen
into the hands of the Chinese,
and that when Port Arthur was
but little mercy was shown.
entered by the Japanese troops,
But, he said, there were but few
non-combatants in Port Arthur
when it was taken, the peaceful
inhabitants of the place having
fled days before, and if others
than Chinese soldiers were killed
by the Japanese, it was by acci-
dent and owing to the impossi-
bility of distinguishing peaceful
citizens from the soldiers who
had discarded their uniforms
and donned the garb of citizens
after the fortifications were
taken.

Viscount

Viscount Mutsu characterized Mr. Creelman's telegram to "The World" as a gross exaggeration of the truth, sensational in the extreme and tending to work great injury and injustice to Japan in the eyes of the civilized world.

I have the honor to enclose herewith a copy of a written statement of the affair at Port Arthur sent to me by Viscount Mutsu on the 19th instant.

On yesterday, the 19th instant, I was visited, at my request, by Viscount de Labry, the military Attaché of the French Legation at Tokyo, who returned to Tokyo a few days since from Port Arthur.

Viscount

Viscount de Labry was an eye wit-
ness of the attack upon Port
Arthur and the capture of that
place. He entered the town with
the Japanese forces and was a
witness to what took place there
afterwards. I showed Viscount
Mutsu's statement (herewith) to
Viscount de Labry who declared
that it stated nothing but the
truth. He said that there were
a great many more Chinese
killed than was absolutely
necessary, when the Japanese
forces entered the town, but
that he saw no women, children
nor old men among the slain;
that on the 22nd of November,

(the

(the day after Port Arthur was taken), he went over the place; that the dead were still not buried; that as the sword and bayonet had been freely used in the attack the day before, a great many of the bodies presented a ghastly and horrible appearance, but that there was no mutilation of the bodies of the dead.

Viscount de Labry says that so far as he knew from personal observations, there was no indiscriminate killing or massacre in cold blood after the evening of the 21st; that many small parties of fugitive Chinese soldiers

soldiers were found for several days after the battle, and upon their attempting to escape, (as was generally the case), they were shot down, and that, perhaps, many were killed unnecessarily; that doubtless atrocities were committed, but such, in his belief, were beyond the control of the officers and such as often attend the taking of a fortified camp when intense personal animosity is felt by the victors towards the vanquished. Viscount de Labry authorized me to use his name in making this statement to my Government, but requested

that

that his name be withheld in any statement that might be made public.

I have received no official report from Lieutenant O'Brien, Military attaché of this Legation, who was also present at the taking of Port Arthur. In a personal letter dated Kinchow, China, December 3, 1894, received by me from that gentleman, the only reference that he makes to the subject of this despatch is that "A great many more Chinese "have been killed than there was "any real need for."

Such are the facts relating to this deplorable incident of war

that

that I am able to submit for your information. It appears to me it is clear that the slaughter of Chinese soldiers at Port Arthur cannot be justified by any rules governing the usages of modern civilized warfare, (if the term "civilized" can be properly applied to war), but that the account sent to "The World" by Mr. Creelman is sensational in the extreme and a gross exaggeration of what occurred.

Since writing the above I have received the "Japan Mail" of todays date, from the columns of which I have clipped the editorial enclosed herewith, entitled "The 2/

"Port"

No. 206. IV

"Port Arthur affair."

I have the honor to be

Sir,

Your obedient servant,

Edwin Dun

Enclosures:

1. Statement of Japanese Government.
2. Clipping from "Japan Mail."

Enclosure/with Mr. Dun's No 206.

Copy.

There is no question as to the fact that there was more blood shed at Port Arthur than at any other place, and perhaps more than was absolutely necessary; but reports sent abroad by foreign correspondents, especially by the reporter of "The World", are greatly exaggerated and highly colored so as to give a sensational effect. At the fall of Port Arthur Chinese soldiers seeing that open resistence was futile, discarded their military uniforms and putting on citizens dress disguised themselves as peaceful inhabitants of the place and betook themselves to the vacant houses of the town which the real peaceful inhabitants had quit some days previous to the attack thereon by the Japanese army. This is the more evident since the real inhabitants returned to Port Arthur and their homes after peace and order were restored. The Chinese soldiers while thus disguising themselves secretly carried arms, and, as they were not accustomed to giving quarter to their enemies and were afraid of being killed in case they surrendered, hid themselves in all sorts of disguise, and when at last they were discovered by the Japanese, offered resistence and fought to the last.
Some of the peaceful inhabitants who had not left the place before the battle, were said to have been ordered to fire and resist; which they did; but most of those found killed at Port Arthur proved to be soldiers in disguise. This is shown from the fact that almost all the corpses found had on them some articles of Chinese military dress inside the outer

garments.

10120

garments.

One of the foreign correspondents has said that, as most of the killed at Port Arthur bore sword cut wounds, they presented a more horrible spectacle than if they had received bullet wounds. This may be one of the causes that led some foreigners to exaggerate the facts. The Japanese soldiers were greatly excited by the sight of the fearfully mutilated bodies of their comrades who had been taken prisoners by the Chinese, some of whom had been burnt alive while others had been crucified. In spite of this the Japanese preserved discipline and none of those who peacefully surrendered themselves were either killed or maltreated, and about 355 Chinese prisoners who were taken at the fall of Port Arthur have been kindly treated and are being brought to Tokio where they will arrive in a few days.

Encl. 2 with Mr. Dun's No. 206.

The Japan Daily Mail.

Yokohama, Thursday, December 20, 1894.

THE PORT ARTHUR AFFAIR.

DOUBTLESS the attitude of all fair-minded persons with regard to the Port Arthur affair has been one of suspended judgment. We have not as yet had any authoritative statement of what really occurred at the capture of the fortress. Newspapers have given their own versions of what war correspondents are supposed to have said, and it has been hinted that the correspondent of the New York *World* is about to publish revelations calculated to startle humanity. Altogether the impression conveyed is that the behaviour of the Japanese soldiers was most cruel and bloodthirsty; that they slew combatants and non-combatants without discrimination, and that they continued this fierce slaughter throughout three days following the capture. Among the four newspaper correspondents present at Port Arthur, three were wholly novel to the work they were required to record. They had never before seen anything of war, and even its ordinary incidents must have been shocking to them. Of course we do not desire to suggest that their evidence is without value, but the public will certainly be inclined to pay far more attention to the testimony of the military *attachés* who accompanied the Army, since they necessarily enjoyed the best opportunities of observing the operations, and were moreover competent to estimate them by expert standards. One of these *attachés* has now returned to Tokyo, and we learn from him that the statements hitherto published by the local foreign press must be received with the greatest reservation, and very largely discounted before the residuum of truth is reached. In the first place, this observer states that the civilians, or at any rate the non-combatants, had all left the town of Port Arthur before the assault of the forts, and that a number of the soldiers had either discarded their uniforms altogether, or thrown civilian garments over them. These men, thus disguised, continues our informant, fought even more resolutely than their comrades, and subsequently escaping into the town, maintained their resistance there. The result was a good deal of house-to-house fighting, in which the Japanese used their swords freely, and when a Japanese sets out to use a sword in earnest, the results are often very terrible. That there was unnecessary cutting down seems pretty certain, and it is very conceivable that the cuts and slashes often assumed a character suggestive of mutilation. But our informant did not see anything from which wilful mutilation could fairly be inferred, and he does not believe that genuinely peaceable citizens were killed, or that if a few were killed, the thing was intentional. The sum of his opinion is that the Japanese, employing their swords and rifles under circumstances where discrimination was difficult and in the sequel of many Chinese barbarities sufficient to have infuriated the soberest troops in the world, were doubtless guilty of excesses, but not by any means of such excesses as have been laid to their charge. Of the death of women or children he neither saw nor heard anything, and his conviction is that there were no women or children in Port Arthur at the time. Finally, he is emphatic in his denial of the allegation that undisciplined slaughter was continued through several days. The whole affair, so far as the town of Port Arthur was concerned, began and ended during the night of the 21st November. From the following morning nothing of the kind was to be seen.

We think it right to lay these facts before our readers. They are not conclusive, inasmuch as some of the testimony is negative, and negative testimony can not possess much weight as against positive. But they show, at all events, that the stories hitherto circulated must be received with caution, and that the public should be careful about attaching implicit credence to the allegations of writers, some of whom are proverbially disposed to take the harshest possible view of every offence charged against the Japanese, and one seems to be deliberately resolved to work up this affair into a sensation of which he himself will be the central figure.

No. 207.

Ready to File

INDEX BUREAU
REC'D.
JAN 11 1895
DEPT. OF STATE

DIPLOMATIC BUREAU.
JAN 11 1895

Legation of the United States,
Tōkyō, Japan, December 20. 1894.

Mr. Dun,

To the Secretary of State

Subject.

Reading of cipher telegrams

No. 207.

Legation of the United States,
Tokyo, Japan, December 20, 1894.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to enclose herewith the reading of a telegram from Minister Denby, dated Peking December 12th, 1894 and of telegrams (2) from me to Minister Denby dated December 18th 1894.

I have the honor to be,
Sir,
Your obedient servant
Edwin Dun

Enclosures (3) as above.

Enclosure No 1 with Mr. Dun's No. 207.

Reading of a Cipher Telegram received from Minister Denby.

Peking December 12, 9,2 p. m. 1894.

American Minister

Tokio.

Please communicate following to Minister for Foreign Affairs of Japan. China regrets that Japan (refuses ?) to entertain former proposal. China proposes in accordance with the statement of Japan to appoint Minister Plenipotentiary with full power to meet the Minister Plenipotentiary of Japan to negotiate a plan for bringing about peace. China suggests Shanghai as a place of meeting. China desires to know beforehand when Plenipotentiaries will meet

Denby.

Enclosure No. 2 with Mr. Dun's No. 207.

Reading of Cipher Telegram sent to Minister Denby.

Tokyo, December 18th, 1894.

American Minister,

Peking.

In answer to your cipher telegram dated the twelvth instant Japanese Government replies as follows. If Chinese Government should appoint Plenipotentiaby with full powers to conclude peace Japanese Government will be ready to appoint their Plenipotentiary , but before such appointment will be made on the part of Japan it is essential that China will inform Japan of the name and rank of her Plenipotentiary. The place of the meeting of Plenipotentiaries must be in Japan.

Dun.

Enclosure No. 3 with Mr. Dun's No. 207.

Reading of Cipher Telegram sent to Minister Denby.

Tokyo, December 18th, 1894.

American Minister,

Peking.

I desere to say to you personally my opinion is that it is necessary that China should appoint Plenipotentiary of highest rank with full powers to conclude peace if she desires to end war.

Dun.

3RD ASSISTANT SECRETARY.
JAN 12 1895

No. 208. Copy to Atlanta Cotton Exposition, Scrap file

Legation of the United States,

INDEX BUREAU
REC'D.
JAN 11 1895
DEPT. OF STATE

Tōkyō, Japan, December 20, 1894.

DIPLOMATIC BUREAU.
JAN 12 1895

Mr. Dun.

To the Secretary of State.

To Mr. Collier
14th Jany '95. TM

Subject.

Japan will probably not take part in International Raw-Cotton Exposition.

No. 208.

Legation of the United States,
Tokyō, Japan, December 20, 1894.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D.C.

Sir:

In accordance with your instruction No. 133, of date October 19th 1894, I delivered to His Imperial Japanese Majesty's Minister for Foreign Affairs the communication addressed to His Majesty the Emperor of Japan, from the Cotton States and Inter-=national Exposition Company of Atlanta, Georgia, inviting this Government to be represented at the

the international Exhibition to be held in Atlanta from September to December 1895. and I am now in receipt of Viscount Mutsu's reply thereto, dated the 19th instant. copy of which I have the honor to enclose herewith.

I have the honor to be

Sir.

Your obedient servant

Edwin Dun

Enclosure.

Viscount Mutsu to Mr. Dun.

Enclosure No, 1 with Mr. Dun's No.

(Translation Copy)

No. 50. Department of Foreign Affairs

Tokyo, the 19th day, the 12th month the 27th year of Meiji.

(December 19th, 1894.)

His Excellency

EDWIN DUN,

Envoy Extraordinary and Minister Plenipotentiary

of the United States of America.

Sir :-

I have the honor to inform Your Excellency that I have communicated to the Minister for Agriculture and Commerce the purport of the interview the other day at this Department in connection with the invitation which the International Raw Cotton Exposition Company sent through your Government to the Imperial Government to participate in its exposition to be held at Atlanta, Georgia, U. S. A., from September to December, 1895 ; and have received a reply from that Minister in which he expresses his regret that as, raw cotton being at present mostly imported from abroad, there are probably very few native samples for exhibition, he has little hope of participation in the exhibition, but at the same time he desires to receive a copy of the exhibit regulations for purposes of reference. I beg to request that you will be good enough to inform your Government to the above effect.

I avail myself etc., etc.

(Signed) Viscount Mutsu Munemitsu.

COPIED FOR CONGRESS
DIPLOMATIC BUREAU
JAN 24 1895

Secretary of State
JAN 22 1895

No. 209.

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REC'D.
JAN 18 1895
DEPT. OF STATE

Legation of the United States,

Tokyō, Japan, December 26, 1894

2D ASSISTANT SECRETARY.
Usual course -
Ack.
JAN 23 1895

Mr. Dun

To the Secretary of State

Sir

Subject.

Enforcement of the Laws for prevention of Collisions at Sea.

No. 209

Legation of the United States,
Tōkyō, Japan, December 28. 1894

Honorable W. Q. Gresham,
Secretary of State,
Washington, D.C.

Sir:

Referring to your instructions Nos. 110 and 132, of date August 30th and October 15th 1894 respectively, relative to the enforcement of the laws for the prevention of collisions at sea, copies of which and of their enclosures I transmitted to H. I. J. M's Minister for Foreign Affairs, I now have the honor to enclose herewith copy of a note of date the 26th instant from H. I. J. M's Minister for Foreign Affairs upon

upon the subject, to the effect that the Japanese Government has already adopted regulations and promulgated the law for the prevention of collisions at sea in accordance with the recommendations of the International Marine Conference held in Washington in 1889, and that in the event of Article X of the old regulations being modified by agreement between the Governments interested the Japanese law now in force "will "be amended after such agreement "shall have been secured between "those Governments.

I have the honor to be, Sir,

Your obedient servant.

Edwin Dun

Enclosure:- Viscount Mutsu
Japan. Desp. Dec 26. 1894.

Enclosure with Mr. Dun's No. 209

Copy.

Translation.

No. 53.

Department of Foreign Affairs,
Tokio, the 26th day, the 12th month,
the 27th year of Meiji.
(December 26th, 1894.)

His Excellency
Edwin Dun,
Envoy Extraordinary and Minister Plenipotentiary of the
United States of America.

Sir:

I have the honor to inform Your Excellency that in reference to your communication dated October 4th last, regarding the enforcement of the laws for the Prevention of Collisions at Sea, which were established in accordance with the recommendations of the International Marine Conference, held at Washington in 1889, which I have already had the honor to acknowledge, I have now received a reply from the Authorities concerned to the effect that the Imperial Government have already adopted similar regulations and promulgated the law for the Prevention of Collisions at Sea, by Law No.5, the sixth month of the 25th year of Meiji, which has been in force since the first day of the first month of the 26th year of Meiji; that Articles VII, XXI and XXXI as now amended by Your Government, do not substantially differ from the above Law, and that as it is understood that pending

further

further agreement between the interested Governments regarding Article IX repealed by your Government, Article X of the old regulations will continue in force, the Japanese law at present in force will be amended after such agreement shall have been secured between these Governments.

I avail myself of this occasion to renew to Your Excellency the assurances o f my highest considerat ion.

(Signed.) Viscount Mutsu Munemitsu,

Minister for Foreign Affairs.

No. 210.

Secretary of State
JAN 22 1895

Legation of the United States,

Tōkyō, Japan, December 28, 1894.

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DIPLOMATIC BRANCH
JAN 24 1895

2D ASSISTANT SECRETARY.
Ack. by Number and File.
JAN 24 1895

Mr. Dun

To the Secretary of State

Subject.

Readings of telegrams between Legations at Tōkyō and Peking.

No. 210 Legation of the United States,
Tōkyō, Japan, December 26, 1894.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to enclose herewith the reading of a telegram from Minister Denby, dated Peking December 20th 1894, and 2 telegrams from me to Minister Denby dated December 26th 1894.

I have the honor to be,
Sir,
Your obedient servant
Edwin Dun

Enclosures:-
(1-3) Telegrams as above.

Enclosure 1 with Mr. Dun's No. 210.

Reading of the translation of a cipher telegram received from Minister Denby, Peking, December 21 1894.

"Peking, December 20, 1894.

"American Minister, Tokio.

"I have the honor to transmit to the Japanese Government "the following:

"The Government of China has appointed Chang Yin Huan "holding the rank of President of a Board Minister of the "Tsung Li Yamen and Junior Vice President of Revenue, and "Shao Yn Hien an officer of the Button of the first rank and "Vice president of the Board of War and Acting Governor of "(Hunan ?), as Plenipotentiaries with full Powers to proceed "to Japan to confer with Plenipotentiaries appointed by Japan "to conclude in consultation peace. China desires that Japan "will select a place of meeting of the Plenipotentiaries of "the two countries near Shanghai to the end that it will be "convenient in coming and going. China hopes that Japan will "at once appoint Plenipotentiaries with full Powers and at an "early date fix the time of meeting and on the day of appoint-"ment by Japan of Plenipotentiaries the two countries will "decide the day an armistice will commence. China suggests "Nagasaki."

(Unsigned)

Enclosure 2 with Mr. Dun's No. 210..

Reading of the translation of a cipher telegram transmitted to the United States Minister, Peking, December 26, 1894.

"Tokio, Dec. 26, 1894.

"American Minister, Peking, December twenty-sixth.

"Your cipher telegram dated December "twentieth has been received. Japanese Government reply as "follows:

"The Japanese Government will appoint a Plenipotentiary "or Plenipotentiaries with full powers to conclude peace with "the Plenipotentiaries named by China. The Japanese Govern- "ment select Hiroshima as the place of meeting of the Pleni- "potentiaries. Such meeting to take place within forty-eight "hours after the arrival of Chinese Plenipotentiaries at "Hiroshima. The exact time and place of meeting to be notified "to the Chinese Plenipotentiaries as soon as possible after "their arrival at Hiroshima. The Chinese Government to "notify the Japanese Government in advance of the dates of "departure from China and of probable arrival at Hiroshima " of the Chinese Plenipotentiaries. The conditions of an "armistice in the event the Japanese Government should "conclude to grant one will be made known after the meeting "of the Plenipotentiaries.

"Dun."

Enclosure 3 with Mr. Dun's No. 210.

Reading of a ciphertelegram transmitted to the United States Minister, Peking, December 26, 1894.

"Tokio, December 26, 1894.

"American Minister, Peking. December twenty-sixth.

"Japanese Minister for Foreign Affairs "desires that the date of the departure from Peking of "Chinese Plenipotentiaries be telegraphed as soon as possible "in order that Japanese Government may make arrangements for "their proper reception.

"Dun."

No. 211.
Confidential

Secretary of
JAN 22 1895

Legation of the United States

Tokyo, Japan, December 26. 1894.

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2D ASSISTANT SECRETARY.
Ack by subject & file.
JAN 24 1895

Mr. Dun

To the Secretary of State

Received Jany 25.

Subject

Chinese-Japanese Peace Negotiations.

No. 211 Confidential

Legation of the United States,
Tōkyō, Japan, December 26, 1894.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D.C.

Sir:

As Mr. Denby's telegram to me of December 20th, and my telegram to Lim of December 26th (translations of which I had the honor to enclose with my No 210 of this date) indicate, there is now good reason to believe that the Plenipotentiaries of Japan and China with full powers to conclude peace will meet at Hiroshima in January next. I have every reason to believe that

that the Japanese Cabinet desires to end the war, they recognize that the possible advantage to be gained by its continuance is not of sufficient importance to justify the possibility of disaster that may overtake their forces in the field or that may result from intervention by European Powers. The greatest difficulty that Count Ito and Viscount Mutsu will have to overcome in negotiating terms of peace will be the opposition that is to be feared from the Military party in Japan to any thing like reasonable terms. The spirit of the Army and Navy is one of Conquest; their Ambition

Can

Can be satisfied with nothing less than the occupation of Peking and the complete humiliation of China, I have reason to believe that the real reason for General Count Yamagata's recall from the command of the First Army was to strengthen the hands of the Government and to, some extent, counteract the opposition to the conclusion of peace that is to be feared. Count Yamagata's influence with the Army is very great; his views are always moderate and statesmanlike and he is believed to be in thorough accord with Count Ito and Viscount Mutsu in regard to the advantage

to

to Japan of an early peace; his association directly with the Government in negotiations to that end will tend greatly to satisfy the army. The Japanese Plenipotentiaries have not yet been appointed but yesterday Viscount Mutsu intimated to me that he would probably be one. I have no knowledge whatever of the demands that the Japanese Plenipotentiaries will make; but have reason to believe that Japan will not consent to an Armistice during negotiations except on terms that China could not, with advantage, accept.

Upon the receipt of telegraphic

information

information from Mr Denby —
announcing the date of departure
from Peking of the Chinese Plenipo=
tentiaries I shall have the honor to
telegraph to you, confidentially, the
fact that a meeting of the Plenipo=
tentiaries of Japan and China
with full powers to conclude
peace has been arranged to
take place at Hiroshima, and
give you the approximate date
of the meeting

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

TELEGRAM RECEIVED. Cipher

From Tokio

January 7, 1895.

Received 3:20 P. M.

Gresham

Washington.

January Seventh. Confidential. Chinese plenipotentiaries, with full powers to conclude peace, will meet Japanese plenipotentiaries at Hiroshima about the twenty fifth January.

Dun.

2D ASSISTANT SECRETARY.
Ack & file -
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Secretary of State.
JAN 31 1895

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Legation of the United States,
Tokyō, Japan, January 7, 1895.

Mr. Dun

To the Secretary of State

Subject.

Chinese Plenipotentiaries will receive
every courtesy and hospitality by
Legations of the corps D Tokyō

No. 212. Legation of the United States,

Tokyo, Japan, January 7, 1895.

Honorable W. Q. Gresham,

Secretary of State,

Washington, D.C.

Sir:

Referring to your telegraphic instruction of date the 6th instant, received the same day, relative to the possibility of the Plenipotentiaries appointed by China to negotiate terms of peace visiting Tokio, I beg to assure you that in that event I shall take pleasure in extending to them every courtesy and hospitality consistent with the position

of

of friendly neutrality that I occupy as the representative of the United States.

I have the honor to be,

Sir,

Your obedient servant

Edwin Dun

2D ASSISTANT SECRETARY.
Subject
Ack. by Number and File.
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Secretary of State.
FEB 7 1895

No. 213.

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Legation of the United States,
Tokyo, Japan, January 7, 1895.

DIPLOMATIC BUREAU.
FEB 4 1895

Received Feby. 5.

Mr. Dun

to the Secretary of State.

Subject:

Lieutenant O'Brien on the Port Arthur affair.

No. 213.

Legation of the United States.
Tokyo, Japan, January 7, 1895.

Honorable W. Q. Gresham,
Secretary of State.
Washington, D. C.

Sir:-

Referring to my No. 206, of date December 20th, 1894, relative to the Port Arthur affair, I have the honor to enclose herewith an extract from a personal letter to me from Lieutenant M. J. O'Brien, Military Attaché of this Legation, dated Kinchau, China, December 28th, 1894, giving an account of the unfortunate

unfortunate circumstances attending the capture of Port Arthur by the Japanese forces.

Lieutenant O'Brien's statement corresponds with that of Vicomte de Labry, Military attaché of the French Legation at Tokyo, reported to you in my No. 206; also with a statement made by Colonel de Wogack, American Military Agent to Japan and China; also with that of Mr. George W. Comer, an American in command of a Japanese transport, who was present at the taking of Port Arthur.

From the statements of these gentlemen it appears to be clear

that

that there was a slaughter of Chinese soldiers at Port Arthur on the 21st of November, 1894. but that the horrors reported by Mr. Creelman in his communications to the "New York World" as having taken place subsequent to that date are not true, and that the impression Mr. Creelman's reports are prone to convey is a gross exaggeration of the truth.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Enclosure.

Extract from Lieut. O'Brien's letter.

Enclosure with Mr. Dun's No. 213.

Copy. Kinchau, Liau Tong Province, China

December 28th 1894.

Dear Mr. Dun.

X X X X X X X X X X X X

As to the unfortunate circumstances at Port Arthur I can only say what I saw of it, of course, but I am sorry to say that even that little is such as to lay the army open to the most severe censure, especially as it was quite different from what one should have expected from Marshal Oyama's proclamation. I have seen myself a number of cases of the killing of men who not only could have been made prisoners without resistance but who were plainly unarmed and in a position of most humble surrender. I have also seen a number of bodies whose hands were tied behind their backs. I have seen bodies very much mutilated and bearing wounds indicating that they were killed with the bayonet when I know beyond questin that where they lie there was no resistance. I have seen these things not as a result of going around for the purpose of seeing horrors but in the ordinary course of my observation of the battle and of trips to the forts and main points of interest. I heard talk here among the correspondents of atrocities committed on the 22nd and 23rd of November. Of these I know nothing whatever. I did not see any atrocities on those days. I heard some firing in the hills around the town but saw no act of violence on either of those days. I was about the town most of the 22nd and during the afternoon of the 23rd but

saw

saw no new acts of war or pillage except the looting of the houses and stores. That went on until there was really nothing much left to loot.

I find some excuse for the acts of the 21st in the barbarities committed by the Chinese. The mutilated heads of some Japanese captives were hung on some small trees at the entrance of the town and this sight must have enraged the troops. Again, I doubt if the Japanese for a moment thought they were going to have such an easy task in taking the town and sea forts. When they advanced through the town it is my belief that they were momentarily looking for resistance and with such an idea began to clear the way, with the result that the troops soon got out of hand and made an unnecessary slaughter. I do not think this excuse sufficient but it ought to be borne in mind that such occurrences happen in all armies and it is hardly fair to expect miracles of the Japanese. At the same time such acts have always met with censure and so must this case.

To any body who, as I have since I joined this army, has seen the kindness, courtesy and gentle ways of the Japanese the recollection of Port Arthur is especially unpleasant. Up to that time the behavior of the army toward the poor people of this country was all that any body could have wished. Since that time such has also been the case as far as I know. Here at Kinchau the Japanese have treated the Chinese in the most kind and fair way. Everthing that could be done has been done to quiet

the

the Chinese and to insure a just and fair treatment of them. Markets have been opened and fair prices have always been paid. There is no lawlessness and no signs of ill treatment. In truth I think these Chinese are now better off than they have ever been in their lives and I think they appreciate the fact. In view of these facts I cannot but feel that the acts of this army at Port Arthur ought not to be remembered and its acts at other times forgotten. There may have been special causes leading up to the affair at Port Arthur of which I am not aware. I have no doubt that exaggerated reports have been sent but not having seen them I am not able to make any criticism of them. I have not up to this time made any report of this phase of the battle and do so now only because I judge from your letter that reports of it have come to your ears and you may desire more solid foundation for any expression of view which might become necessary hereafter.

I have been very kindly and courteously treated by all the Japanese officers I have met. To Field Marshal Oyama and his Staff I am indebted for many comforts all the more appreciated because of the especially friendly spirit in which they have been extended. To General Kawakami and his subordinates at Hiroshima I am also under many obligations. In fact I cheerfully bear testimony to the fact that such general kindness and thoughtfulness

fulness is more than I could fairly have expected from any army in the world.

X X X X X X X X X X X X X X

Yours very truly

M. J. OBrien,

Lieut. 5th U.S. Infantry.

2D ASSISTANT SECRETARY.
Ack. & file.
FEB 4 1895

Secretary of State.
FEB 7 1895

No. 214.

Legation of the United States,
Tokyo, Japan, January 7, 1895.

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DIPLOMATIC BUREAU
FEB 4 1895

Mr. Dun

to the Secretary of State.

Subject:

Readings of cipher telegrams.

No. 214.

Legation of the United States,
Tokyo, Japan, January 7, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:-

I have the honor to enclose herewith readings of cipher telegrams as follows:

1/ Your telegraphic instruction of 6th instant,
cipher telegrams from Minister Denby-
2. 3/ dated respectively Dec. 29th & Dec. 30th,
4/ 1894, and January 5th, 1895 and
my cipher telegrams to Minister
5. 6/ Denby, two dated Dec. 31st, 1894.

I

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Enclosures.

Readings of six cipher telegrams as above.

Enclosure /. with Mr. Dun's No. 214.

Reading of a cipher telegram received from the Secretaryy of State, January 6, 1895.

"Washington, January 6, 1895.

"Dun, Minister, Tokio.

Should special envoys sent by "China to treat for peace visit Yedo you will extend to "them such hospitality and courtesies as your friendly "neutral position will permit.

"Gresham."

Enclosure 2. with Mr. Dun's No. 214.

Reading of a cipher telegram received from the United States Minister, Peking, December 30, 1894.

"Peking, December 29, 1894.

"American Minister, Tokio.

"December twenty-ninth.

"China wishes to know the name and "rank of the Plenipotentiary or Plenipotentiaries Japan "will appoint . Also inquires of the Japanese Minister "for Foreign Affairs to state clearly the place or port "the Chinese Plenipotentiaries will land in Japan to "reach Hiroshima. China asks Japan to answer by "telegraph to the end that it may be convenient for "the Chinese Plenipotentiaries to fix the time for their "departure for Japan.

"Denby."

Enclosure 3 with Mr. Dun's No. 214.

Reading of a cipher telegram received from the United States Minister, Peking, December 30, 1894.

"Peking, December 30, 1894.

"American Minister, Tokio.

"December thirtieth, personal.

"I am greatly embarrassed by the "refusal of Japan to concede even the least point to "China. If Japan will send the name of her Plenipoten- "tiary to China now the negociations will end favorably. "It is simply to save China's face.

"Denby."

Enclosure 4 with Mr. Dun's No. 214.

Reading of a cipher telegram received from the United States Minister, Peking, January 6, 1895.

"Peking , January 5, 1895.

"American Minister, Tokio;

"January fifth.

"Chinese Government sends following to "Government of Japan: Chang Yin Huan leaves Peking on the seventh. Will take steamer under a neutral flag "from Shanhai Kwan for Shanghai. He will there join "Shao Yu Hien and take passage by a neutral flag for "Hiroshima. On entering Japanese ports the Chinese nation "al flag will be hoisted in accordance with custom. When "the Plenipotentiaries leave Shanghai the American "Minister will telegraph you.

Denby."

Enclosure 5 with Mr. Dun's No. 214.

Reading of a cipher telegram transmitted to the United States Minister, Peking, December 31, 1894.

"Tokio, December 31, 1894.

"American Minister, Peking.

"December thirty first, personal .

"I confidentially communicated "substance of your personal telegram of December thirtieth "to Japanese Minister for Foreign Affairs. Viscount "Mutsu expressed regrets at your embarrassment but said "he was unable to relieve it in the direction indicated. "Nevertheless I gathered from his conversation that "Viscount Mutsu would ex officio be one of the Plenipo- "tentiaries and that if another Plenipotentiary should "be appointed a Minister of State will be associated "with him. I think Chinese Government need have no "apprehension regarding the rank of Japanese Plenipoten- "tiaries You may rely upon this information.

"Dun."

Enclosure with Mr. Dun's No. 214.

Reading of a cipher telegram transmitted to the United States Minister at Peking, December 31, 1894.

"Tokio, December 31, 1894.

"American Minister, Peking.

"December thirty first.

"Your cipher telegram of twenty-
"nine instantreceived. Japanese Government reply as
"follows: Japanese Government intend to appoint their Plenipotentiary or Plenipotentiaries of proper rankand
"official position to meet the Chinese Plenipotentiaries
"immediately upon their arrival in Japan. Japanese
"Government do not see the necessity of notifying before-
"hand to Chinese Government the name and rank of the
"Japanese Plenipotentiary or Plenipotentiaries. It is
"convenient that the Chinese Plenipotentiaries will
"arrive at Shimonoseki on board a vessel under a neutral
"flag and there to be met by some Japanese officials who
"will make all necessary arrangements for them to facil-
"itate their journey therefrom to Hiroshima.

"Dun."

2D ASSISTANT SECRETARY.
Ack by subject & file
FEB 4 1895
Secretary of State.
FEB 7 1895
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No. 215.

Legation of the United States,
Tokyo, Japan, January 7, 1895.

DIPLOMATIC BUREAU
FEB 4 1895

Acted 7 11
Felix

Mr. Dun
to the Secretary of State.

Subject:

Chinese and Japanese Envoys with full powers to negociate peace to meet at Hiroshima, Japan, in the near future.

No. 215.

Legation of the United States,

Tokyo, Japan, January 7, 1895.

Honorable W. Q. Gresham,

Secretary of State,

Washington, D. C.

Sir:-

I had the honor to inform you this morning by telegraph, (reading of telegram herewith enclosed), that Chinese Plenipotentiaries with full powers to conclude peace would meet the Japanese Plenipotentiaries at Hiroshima about the 25th of this month.

Mr. Denby's telegram of the

5th

5th instant,— see enclosure 4 with my No. 214,—, conveys the information that Chang Yin Huan, one of the Plenipotentiaries and formerly Chinese Minister at Washington, will leave Peking today, the 7th January, proceed by Shan Hai Kuan to Shanghai where he will join his colleague, Shao Yu Lien, and from there come to Hiroshima in a neutral vessel.

Should the Chinese Plenipotentiaries meet with no delay en route, it is possible for them to reach Hiroshima within ten days from this date, but I was informed by Viscount Mutsu this morning that he did not

look

look for their arrival until after the 20th instant.

The Japanese Plenipotentiaries have not yet been appointed but I was given to understand in a conversation with Viscount Mutsu, a few days since, that he would be one of the Plenipotentiaries and that his associate would be a Cabinet Minister or an officer of equal rank with a Cabinet Minister.

When the Plenipotentiaries meet I shall have the honor to inform you of the fact by telegraph.

I have the honor to be,

Sir,

Your obedient servant.

Edwin Dun

Enclosure: Reading of telegram, Jan 7th.

Enclosure with Mr. Dun's No. 215.

Reading of a cipher telegram transmitted to the Secretary of State, January 7, 1895.

"Tokio, January 7, 1895.

"Gresham, Washington, January seventh.

"Confidential. Chinese Plenipotentiaries "with full powers to conclu de peace will meet Japanese "Plenipotentiaries at Hiroshima about the twenty-fifth "January.

"Dun."

N. Postal

TELEGRAM RECEIVED.

Aud'd Jany 18. 21

From Tokio

Jany 17, 1895.

Received 1½ P.M.

Gresham,

Washington.

DIPLOMATIC BUREAU JAN 17 1895

Confirmed Jan. 21/95

Left Beacon Wishes Zollver Japanese army Japanese Govt Consent if our Govt approves Cable answer at Beacons Expense

Dun

No. 216.

DIPLOMATIC BUREAU
FEB 6 1895

Legation of the United States.

Tokyo, Japan. January 17, 1895.

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2D ASSISTANT SECRETARY.
Substance to the Complainant.
Ack. by Number and File.
FEB 7 1895

Mr. Dun

To the Secretary of State.

Subject. Ltr J. W. Beerman Feby 8. Further acc. 19th Feby 95 m

Defacement of monument over the grave of the late Mrs. J. W. Belknap, Tokyo

No. 216.

Legation of the United States,
Tokyo, Japan, January 17, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D.C.

Sir:

Referring to your instruction No. 148,
of date December 11, 1894, relative to
the defacement of a monument in
Aoyama Cemetery over the grave
of the late Hon. J. W. Beltrach, I have the
honor to inform you that I have
caused the matter to be reported to
the Central Police Authorities of Tokyo
who have assured me that they will
[illegible]

In this connection I desire to say, as stated by Mr. Belknap in his letter to you, that he did report the facts in the case to me some eighteen months ago and was advised by me to report the matter to the Police authorities, but I did not state "that nothing could be "done but to ask the assistance of "the police for future protection", as such acts are as much violations of law in Japan as in our own country.

Since the visit referred to I had heard nothing further concerning the matter until the receipt of your instructions under reply.

I have the honor to be, Sir,

Your obedient servant,

Edwin Dun

No. 217.

DIPLOMATIC BUREAU
FEB 6 1895

Legation of the United States,
Tōkyō, Japan, January 17, 1895.

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FEB 7 1895
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Mr. Dun,

To the Secretary of State.

Acn. 22 Mch 95

Subject.

Lieutenant J. N. Beacom's request to follow Japanese Army.

Adm Aug 21, 1895.

35 Mis P 74-3

No. 217.

Legation of the United States,
Tōkyō, Japan, January 17, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D.C.

Sir:

Lieutenant John N. Beacom 3rd Infantry, U.S. Army, now in Japan on leave of absence, desires to proceed to the Japanese army at the seat of war in China. The Japanese military authorities have informed Lieutenant Beacom of their entire willingness to permit him to visit their armies in the field provided our Government will signify their approval of his going. At Lieutenant Beacom's request, I therefore,

therefore, telegraphed to you this morning as follows: "Lieutenant "Beacom wishes follow Japanese "Army. Japanese Government Consents "if our Government approves Cable "answer at Beacom's Expense. Dun"

Lieutenant Beacom will, of course, refund to me the cost of my telegram to you and also in any manner that you may designate the cost of such reply that you may see fit to send.

I have the honor to be,

Sir,

Your obedient Servant

Edwin Dun

No. 218.

DIPLOMATIC BUREAU
FEB 6 1895

Legation of the United States,
Tōkyō, Japan, January 17, 1895.

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2D ASSISTANT SECRETARY.
Ack. by Number and File.
oab
FEB 7 1895

Mr. Dun

To the Secretary of State.

Subject.

Dispatch of Third Army from Hiroshima for China.

No. 218.

Legation of the United States,
Tokyo, Japan, January 17, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to inform you that a third army of about fifteen thousand men is now being dispatched from Hiroshima for China. Its destination is supposed to be Wei hai wei. I understand that this expedition will rendezvous at Tai lien wan where it will be joined by a portion of the 2nd Army and proceed under the command

of

of Field Marshal Oyama to

its destination.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

DIPLOMATIC BUREAU
FEB 14 1895

No. 219.

Legation of the United States,
Tōkyō, Japan, January 17th 1895.

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2D ASSISTANT SECRETARY.
Ack. by Number and File.
FEB 14 1895

Mr. Dun

To the Secretary of State.

Subject.

Telegraphic instructions re. Mr. John W. Foster and the Chinese Peace Embassy.

No. 219.

Legation of the United States,
Tokyo, Japan, January 17, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to acknowledge the receipt late last evening, of your telegraphic instruction dated the 15th instant as follows:-

"Inform Japanese Government that
"John W. Foster in assisting
"Chinese in peace negotiations acts
"individually and bears no relation
"of any kind to the United States."

In the absence of Viscount Mutsu I sought and obtained an interview-

interview today with Mr. Hayashi
Vice Minister for Foreign Affairs
and communicated to him your
message.

In this connection Viscount
Motono said to me on the 10th
instant, that he was much pleased
that General Foster would be
associated with the Chinese
Plenipotentiaries in the capacity
of Adviser as his presence would
add dignity and weight to the
Embassy.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

No. 220.

DIPLOMATIC BUREAU FEB 14 1895

Legation of the United States,

Tokyo, Japan, January 7, 1895.

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2D ASSISTANT SECRETARY. Ack. by Number and File. aaa FEB 14 1895

Mr. Dun

To the Secretary of State,

Subject.

Chinese Peace Plenipotentiaries to Japan.

No. 220.

Legation of the United States,
Tokyō, Japan, January 17, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D.C.

Sir:

Since my despatch, No. 215, of date the 7th instant upon the subject was written, I have received no further authoritative information in regard to the movements of the Chinese peace Plenipotentiaries. Telegrams to the press report the arrival at Shanghai of Mr. Shao Yu Lien. From the same source I hear that much dissatisfaction is felt in Southern China in

in regard to a commission being sent to Japan to sue for peace and that the opposition developed may even prove sufficiently strong to induce the Chinese Government to recall their Plenipotentiaries before they leave Shanghai for Japan.

I have the honor to be,

Sir,

Your obedient servant

Edwin Dun

Ans'd instructed Apr. 3. 95
May 1. 95

No. 221.

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Legation of the United States,
Tokyo, Japan, January 17, 1895.

DIPLOMATIC BUREAU
FEB 1895
FEB 9 1895

Mr. Dun
to the Secretary of State.

Rec'd Feby 9. 11

Subject:

The property at Nagasaki leased to Geroge W. Lake.

No. 221.

Legation of the United States,
Tokyo, Japan, January 17, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:-

Referring to instruction No. 140, of date November 6, 1894, and its accompaniments in relation to the annulment of leases of certain lands at Nagasaki, Japan, held by Mr. George W. Lake, I now have the honor to enclose herewith 1/ copy of a report upon the subject to me from W. H. Abercrombie, Esq.,

Esq., United States Consul at Nagasaki, dated December 18th, 1894, and of my correspondence relative to the matter with Viscount Mutsu, H. I. J. Ms. Minister for Foreign Affairs, and also with Mr. Abercrombie and Mr. Edward Lake. 2-12

Before the receipt of Consul Abercrombie's report, I received from the Minister for Foreign Affairs a note dated December 15th, 1894, (marked enclosure 2 herewith), relative to certain property owned by George W. Lake which remained unremoved on a place formerly leased by him and requesting me to issue instructions 1/ 2/

instructions in regard to the matter to Consul Abercrombie.

I replied to the Minister for Foreign
3/ Affairs on December 17th, (marked enclosure 3 herewith), stating that I had no information relative to the subject matter of his note of December 15th prior to its receipt and requesting that no action be taken until I had received a report from the United States Consul at Nagasaki in regard to it. On the same day, December
4/ 17th, I addressed a letter to Mr. Abercrombie, (marked enclosure 4 herewith), requesting him to furnish me with the information desired.

On

On December 20th, 1894, I received
a second note upon the subject,
5/ (marked enclosure 5 herewith), from 6/
the Minister for Foreign Affairs, re-
questing me to take action in the
matter at my earliest convenience.
On the same day, December 20th,
I received Mr. Abercrombie's report,
(enclosure 1 herewith.) On December
24th I telegraphed to Mr. Abercrombie, 6/
(marked enclosure herewith), to
give me the dates of tenders of
rent made by Edward Lake
and refused by the Nagasaki
Land Office, referring to enclosure
9 with Mr. Abercrombie's report.
On 24th and 25th of December,
I received telegraphic replies from
Mr.

Mr. Abercrombie to the effect that Edward Lake had tendered payment of the rent due on August 25th and 27th, and on September 7th, 1894. Having heard that instructions had been sent by the Minister for Foreign affairs to the Governor of Nagasaki to sell the buildings on the premises known as "A." Kozoné, I sought and obtained an interview with Viscount Mutsu between the 25th of December and the 3rd of January, requesting that, pending a thorough investigation, he would instruct the Governor of Nagasaki to take no action in the matter, and, on the 3rd instant, I made the same request in a personal

note

note to Viscount Mutsu, (marked enclosure 7 herewith,). 7

On January 2nd, 1895, I instructed Consul Abercrombie by telegraph 8
to at once withdraw his letter dated September 10th, 1894, to the Governor of Nagasaki cancelling Lake's leases and to inform the Governor that the matter was then being investigated by me. On January 5th, 1895, I addressed a note (marked enclosure 9 herewith), to the Minister for 9
Foreign Affairs, stating at some length, the facts reported to me in connection with the annulment of the leases held by George W. Lake and expressing the opinion,

for

for reasons set forth in my note, that George W. Lake has not yet been rightfully & legally dispossessed of the property leased to him at Nagasaki, and that justice demands that he would cause a thorough inquiry to be made into the matter, and that, if the views expressed in my note should be found to be in accordance with the dictates of equity and justice, such action be taken as would result "in the "restoration to George W. Lake of "the property of which he has "in my opinion been wrongfully "dispossessed."

For

For a clear understanding of the subject of this despatch, I beg to refer you to Mr. Abercrombie's report to me and to my correspondence with the Minister for Foreign Affairs herewith.

You will please observe that in my note of the 5th 9/ instant to Viscount Muteu, I disavow the action of Consul Abercrombie in cancelling the leases in question. I felt constrained to do this to prevent the consummation of what appears to me to be an act of injustice. It seems to me clear that in his Consular capacity Mr. Abercrombie had no power whatever

whatever to annul Mr. Lake's leases. That could have been done only by due process of law or, as Mr. Rockhill says in his instruction No. 30, of date Nov. 3, 1894, to Mr. Abercrombie. "The right to claim "recession of the leases for non- "payment [of rent?] would de- "pend upon the terms of the "contract, to be determined, like "all other contractual issues, by "due proceedings in law." There is no record of any judicial proceeding whatever in this matter. Mr. Abercrombie's acts in connection with it were as Consul of the United States, and not as Judge of the United

States

States Consular Court at Nagasaki, and, therefore, in my opinion, his action was ultra vires.

During an interview with Viscount Mutsu on the 10th instant I was informed by him that after the receipt of my note of the 5th instant, he had instructed the Governor of Nagasaki to suspend all action in regard to the disposal of the property in question until a thorough investigation could be made.

The complications that may arise in connection with this case may prove difficult of proper adjustment. As will be seen from Mr. Abercrombie's report, new leases

leases for lots 40a and 41, formerly leased to George W. Lake, have been granted to Edward Lake who now has possession and a title from the Japanese Government in proper form. Unless he voluntarily surrenders possession in the event the leases to his brother are revived, he can only be ousted by order of a competent judicial tribunal. It appears, also, that after Consul Abercrombie declared the leases held by George W. Lake null and void, the Nagasaki authorities promised to give possession of Shipyard "A" Kozoné to the owner of the property, a Japanese subject.

Moreover

Moreover, the question arises whether or not the Governor of Nagasaki complied with all the requirements of the Nagasaki Land Regulations in his letters of June 12, July 24 and August 31, 1894, to Consul Abercrombie, and to what extent, if any, he is responsible for the subsequent wrongful proceedings which resulted in George W. Lake being dispossessed of his property.

I shall keep you fully informed of everything connected with the progress of this case.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Enclosure

Enclosures:

I. Consul Abercrombies report to Mr. Dun.

II. Other enclosures giving correspondence in regard to Lake property.

Enclosure / with Mr. Dun's No. 221

Copy.

No. 716. Consulate of the United States,
Nagasaki, December 13th, 1894.

Honorable Edwin Dun,
E. E. and M. P. of the United States,
Tokio.

Sir:-

In compliance with instructions from Department of State dated Nov. 3rd, 1894, a copy of which I am advised has been transmitted to Your Excellency, I have the honor to submit the following statement with explanatory enclosures, consisting of correspondence in the matter.

Of the three lots referred to, the lot known as "A" Kozone, is outside the Foreign Concession owned by a Japanese citizen, was leased by the Japanese Government to G. W. Lake, the Japanese authorities granting title deed as in cases of leases within the Concession. On the demand from the Japanese authorities for return of title deeds on account of nonpayment of rent, Mr. G. W. Lake having been properly notified and acting upon the advice of Mr. McIvor, Consul General at Yokohama, I cancelled the title deeds, the Governor consenting to transfer the said lots to Mr. Edward Lake, holding a Power of Attorney, on condition that ground rents should be paid until October 1st and new leases taken out in the name of Mr. Edward Lake from that date. Subsequently

to

to this and before receipt of new leases, I was informed by Governor Ohomori that the Japanese owner of "A" Kozone refused to renew the lease of said lot on same terms and demanding an increase $180 per 100 tsubos for rental, claiming that the land had increased in value since the original lease. Mr Edward Lake declined to pay this, but still was willing to pay amount stated in original lease to G. W. Lake.

As will be seen by correspondence,(enclosures 7, 8,a and 9 of August 7th, and 31st and September 7th), I was not advised by Mr. Edward Lake of refusal of authorities to receive rent until after the demand by Governor Ohomori for return of deeds had been made and my acquiescense. Verbally the Governor informed me that the reason of the refusal to receive rent was based upon the illegality of non-resident foreigners holding leases. I am inclined to think that upon this point alone the whole question turns.

Shipbuilding place "A" Kozone, the lot in dispute, is owned by a Japanese and is situated outside of Foreign Concession. It contains at present

One rice cleaning mill with engine house and rice polishing house attached.

One dwelling house.

One stone and brick godown.

One shed for boat building.

My last letter to the Governor, (enclosure No. 32 of

November

November 17th), was, I was told, forwarded to Tokio for further instructions. Mr. Edward Lake has vacated "A" Kozone, and no further action towards sale of property has as yet been taken.

Awaiting Your Excellency's instructions

I have the honor to be ,

Sir,

Your obedient servant,

(Signed.) W. H. Abercrombie,

U. S. Consul.

Enclosures: 32 copies of correspondence in the matter.

(Copy.)

No. 84. Nagasaki Kencho,

June 12th, 1894.

Dr. W. H. Abercrombie,

U. S. Consul,

Nagasaki.

Sir:-

With reference to my letter addressed to you on the 15th March last, enclosing a Notice to be handed to each land renter, I beg to call your attention to the fact that the following land renters have not paid their rents up to date for the present year, and request that you will kindly cause them to pay their rents without further delay, as I am greatly inconvenienced by their neglection of payment.

Mr. G. W. Lake, lot 40a ____ $43.40

do " 41 ____ $41.44

do " do Shipbuilding place "A" $283.05

Mr. M. C. Carlsen, lot 28b $42.78

I have the honor to be,

Sir,

Your obedient servant,

(Signed.) C. Ohomori,

Governor of Nagasaki Ken.

(Copy.)

No 602. Consulate of the United States,

Nagasaki, July 22d, 1894.

G. W. Lake, Esquire,

Nagasaki.

Sir:-

As you have no legal right of residence in Japan, the authorities may deport you to any country they see fit. In this connection I must advise you that persons not residents of Japan cannot hold leases of property here, so unless you pay ground rent and transfer your property to your brother or some other party, the Japanese Government can sieze your land at any time.

I am, Sir,

Your obedient servant,

(Signed.) W. H. Abercrombie,

U. S. Consul.

(Copy.)

No. 182. Nagasaki Kencho,

July 24th, 1894.

Dr. W. H. Abercrombie,

U. S. Consul,

Nagasaki.

Sir:-

With reference to your reply dated the 13th June, 1894, regarding the payments of land rents by Mr. Geo. W. Lake and Mr. M. C. Carlsen, I beg to inform you that the rents have not been paid up to this date.

Regarding your information that they have been notified by you that should no payment be made before the expiration of the fiscal year, the building on the said lots wuold be sold &c, I beg to state that the annual rent must be paid in advance according to the clause 6 of the Land Regulations, and as I am much inconvenienced by the delay, I request that you will kindly notify them to make the payment until the end of the present month, and should they still neglect the payment after the abowe period, you will kindly transfer to this Kencho the lands and the buildins on the said lots, according to the provisions of the Title Deeds, restoring said deeds.

I have the honor to be, etc.,

(Signed.) C. Ohomori,

Governor of Nagasaki Ken.

(Copy.)

No 606. Consulate of the United States,
Nagasaki, July 24th, 1894.

G. W. Lake, Esq.,
Fusan.

Sir:-

I have received a communication from the Governor of Nagasaki Ken dated July 24th, informing me that you have not paid your land rents of lot No. 40a, $43.40; lot No. 41, $41.44; and Shipping yard$283.05 for the present year, and demanding the transfer of the tiltle deeds to the Japanese Government according to the terms of the deed which says, in case of default of payment in advance of yearly rent, the deed shall become null and void and the buildings on the said land shall become the property of the Japanese Government.

I am, Sir,
Your obedient servant,
(Signed.) W. H. Abercrombie,
U. S. Consul.

5

(Copy)

No. 607. Consulate of the United States,
Nagasaki, July 24th, 1894.

N. W. McIvor, Esq.,
U. S. Consul General,
Kanagawa.

Sir:-

I have received a communication from the Governor of Nagasaki, requesting me to transfer land and buildings belonging to Geo. W. Lake to the Japanese Government, the ground rent not having been paid according to agreement in title deed, and fixing the last day of this month as extreme limit of term to be allowed.

Will you kindly advise me by telegraph whether I shall make such transfer, and also in such case whether upon the sale of buildings by Japanese authorities the surplus after payment of ground rent and expenses of sale could be demanded by me for Geo. W. Lake. There are two judgments given by this Consular Court against Geo. W. Lake that remain unexecuted on account of their being no Marshalor properly qualified person to carry out the decrees of this Court. Could such surplus if received by me be used to satisfy these judgments.

Lake has been notified some time ago, and again recently that unless ground rent is paid, his land and buildings would be transferred to the Japanese authorities.

I have the honor to be,etc.,

(Signed W. H. Abercrombie,
U. S. Consul.

(Copy.)

No. 310. Consulate General of the U. S. of A.

Kanagawa, (Yokohama)? July 30, 1894.

W. H. Abercrombie, Esq.,

U. S. Consul,

Nagasaki.

Sir:-

I have to acknowledge the receipt this morning of your despatch No. 607, and to confirm my telegraphic despatch in answer thereto, as follows:

"American Consul, Nagasaki.

"Governor Ohomori's request probably based on article six, "land regulations. If you cannot comply, property, including "buildings reverts, under last clause of Title Certificate, to "Government without action on your part. See Form. McIvor."

I am, Sir,

Your obedient servant,

(Signed.) N. W. McIvor,

Consul General.

7.

(Copy.)

No. 627. Consulate of the United States,
Nagasaki, August 7, 1894.

C. Ohomori, Esq.,
Governor of Nagasaki Ken,
Kencho.

Sir:-

I have the honor to acknowledge the receipt of your letter dated July 24th, requesting the transfer of title and building on lots Nos. 40a and 41 Sagarimatsu and Shipping Yard "A" Kozone machi.

At your request I will declare the title deeds null and void, and authorize you to sell at Public Auction buildings thereon, and after all expenses of sale etc., incurred by you have been deducted, including the advance ground rents, the surplus to be returned to me for the benefir of Geo. W. Lake or his creditors.

If it were possible for Lake to appear before this Consular Court sitting with Associates, there can be but little doubt that the judgment would be in accordance with the above. In a case tried before the British Consular Court in Nagasaki in 1885 under similar circumstances, the defendant, however, being present in Court, judgment was given in accordance with the above and accepted by the Japanese authorities without demur.

I feel confident that under the peculiar circumstances of the compulsory absence of Geo. W. Lake and of the impossibility of his being summoned before me acting Judicially, you

will

will show the same desire for equity and equity alone as has at all times characterized all transactions between yourself and Citizens of the United States.

I have the honor to be, etc.,

(Signed) W. H. Abercrombie,

U. S. Consul.

(Copy.)

No. 206. Nagasaki Kencho,

August 31st, 1894.

W. H. Abercrombie, Esq.,

U. S. Consul,

Nagasaki.

Sir:-

I have the honor to acknowle dge the receipt of your letter dated the 7th instant informing me in regard to the lot Nos. 40a and 41 Sagarimatsu, and Shipbuilding place "A" Kozone machi, rented by Mr. George W. Lake, that you will declare the title deeds null and void and authorize me to sell at Public Auction buildinds thereon.

I beg to request that, when you have declared the said title deeds null and void, you will kindly return to this Kencho the respective title deeds in duplicate, and also the Notice of payment of land rent for the said grounds which I sent you some days ago, and that you will transfer to me the buildings existing on the said grounds with a list of same. I would return you after deducting the advance ground rents and all expenses of sale, etc., incurred by this Kencho, the surplus as requested in your letter.

I have the honor, etc.,

(Signed.) C. Ohomori,

Governor of Nagasaki Ken.

(Copy.)

Nagasaki, 7th September, 1894.

W. H. Abercrombie, Esq.,

U. S. Consul,

Nagasaki.

Sir:-

With enclosed please receive Three hundred and sixty-eight(368) yen, equivalent in Mexican Dollars in payment of the Imperial Japanese Government Land rent on lots 40a and 41 and Shipyard A, Kozone machi, Nagasaki, and recorded in the name of George W. Lake.

The above amount is for one year's rent in the years of 1894 and 1895, which has been presented to the Land Officers at the Nagasaki Kencho and has been refused three times. I therefore desire to place this amount in your hands to be handed over to them when they will grant receipt for same.

I remain, Sir,

Very respectfully,

(Signed.) Edward Lake.

9.

(Copy.)

No. 643. Consulate of the United States,
Nagasaki, September 10th, 1894.

C. Ohomori, Esq.,
Governor of Nagasaki Ken.

Sir:-

I have the honor to transmit Consular copy of title deeds of lots 40 a and 41, Sagarimatsu, and Shipbuilding place "A", formerly leased by Geo. W. Lake and now declared by me null and void, and so entered upon the transfer book. The originals are, I presume, in the possession of Geo. W. Lake and cannot be obtained by me.

I am, Sir,
Your obedient servant,
(Signed.) W. H. Abercrombie,
U. S. Consul.

//

(Copy.-)

)

No. 654. Consulate of the United States,
Nagasaki, Sept. 18, 1894.

C. Ohomori, Esq.,
Governor of Nagasaki Ken,
Kencho.

Sir:-

I have the honor to enclose copy of an application from Edward Lake, American Citizen, requesting me to apply to you to have the property on lots 40a and 4i Sagarimatsu transferred to him from 1st of October, 1894. I beg to send you, herewith, Y. 42.42, being rent for these lots from April 1st till September 30th, 1894, and also Y. 42.42 rent in advance from October 1st, 1894 to March 31st, 1895. Total Y. 84.84.

Will you please cause the necessary papers to be made accordingly.

I have the honor to be, etc.,

(Signed.) W. H. Abercrombie,
U. S. Consul.

(Copy.)

No 212. Nagasaki Kencho,

September 13th, 1894.

Dr.W. H. Abercrombie,

U. S. Consul, Nagasaki.

Sir:-

I have the honor to acknowledge the receipt of your letter dated the 10th instant transmitting me three title deeds with translation for each, for the lots Nos. 40a and 41, Sagarimatsu, and Shipping place "A", Kozone, rented by Geo. W. Lake, an American Citizen, which you have declared null and void. In reply Ibeg to request that you will kindly give your order to pay at once to this Kencho the amount of ground rents from April, 1894, to the end of the present month as per enclosed details, as new Notice for payment of land rent cannot be issued by me.

Referring to your communication of the 11th inst. as to Mr. Edward Lake's request to have the property transferred to him, I beg to inform you that I will comply with his request for the two lots of Nos. 40a and 41, Sagarimatsu, if new application be made by him for renting the grounds. As to the Shipping place "A", I have to state that the ground being owned by a private citizen, I am unable to reply before ascertaining the wish of the land owner.

I have the honor ,etc.,

(Signed.) C. Ohomori,

Governor of Nagasaki Ken.

Details of ground rents for the lots rented by Geo. W. Lake.

Ground

Ground rent for lot No. 40a, Sagarimatsu, for 6 months from April, 1894, till September, at the rate of $43.40 for a year_____$21.70

Ground rent for the lot No. 41, Sagarimatsu, for 6 months from April, 1894, till September, at the rate of $41.44 far a year_____$20.72

Ground rent for the Shipping place "A" Kozone, for 6 months from April, 1894, till September, at the rate of $283.05 for a year_____$141.53

Total. "183.95

(Copy.-

646. Consulate of the United States,
Nagasaki, Sept. 14, 1894.

Edward Lake, Esq.,
Nagasaki.

Sir:-

I have to inform you that I have this day received a communication from Governor C. Ohomori to the following effect:-

"That upon payment at once to the Kencho the sum of $42.2 being one half of the yearly ground rent of lots 40a and 41, Sagarimatsu, will be leased to you upon a new application being made by you and payment of ground rent in advance from October 1st, 1894, to March 31st, 1895."

In regard to the Shipping place "A" the Governor informs me that the ground being owned by a private citizen, he is unable to give me any information regarding it before ascertaining the wish of landowner.

You are requested to inform me what action you wish to take in this matter.

I am, Sir,
Your obedient servant,
(Signed.) W. H. Abercrombie,
U. S. Consul.

(Copy.

Nagasaki, 14th September, 1894.

W. H. Abercrombie, Esq.,

U. S. Consul.

Sir:-

I am in receipt of your despatch of this date and in answer to same I beg to say that I desire the lots 40a and 41, Sagarimatsu, and Ship Yard "A" Kozone machi transferred to my name as soon as possible, provided the said lots of land are not permitted to remain in the name of George W. Lake. I further desire that the rent on said lots be paid over to the Land Officers whenever they will receive and grant receipts for same.

I remain, Sir,

Very respectfully,

(Signed.) Edward Lake.

(Copy.)

No. 644. Consulate of the United States,
Nagasaki, September 11th, 1894.

C. Ohomori,Esq.,
Governor of Nagasaki Ken, Kencho.

Sir:-

In reply to your letter of August 31st I beg to say that I am unable to return the Notice of payment of land rents they having been delivered to Geo. W. Lake, now absent from this country.

Mr. Edward Lake requests that the property be transferred to him, he being willing to pay ground rent till 31st of March, next, or on the 30th instant at proportion of ground rent due, the balance due from him on receipt of title deeds.

Will you kindly send me new Notice for payment of said ground rent .

I am, Sir,
Your obedient servant,
(Signed.) W. H. Abercrombie,
U. S. Consul.

(Copy.)

No. 651. Consulate of the United States,
Nagasaki, Sept. 15th, 1894.

Edward Lake, Esq.,
Nagasaki.

Sir:-

I have received the following notice from the Governor of Nagasaki Ken:-

"That the annual rental of Shipping place "A" in advance will be Yen 180 per 100 tsubos. Term of lease for ten years." Of course this advance rental commences from 1st of Oct. next.

Will you kindly come to this Consulate and see me on Monday morning in the matter.

I am, Sir,
Your obedient servant,
(Signed.) W. H. Abercrombie,
U. S. Consul.

17

(Copy.-

Nagasaki, 17th, September ,1894.

W. H. Abercrombie, Esq.,

U. S. Consul, Nagasaki.

Sir:-

I shall feel obliged if you will communicate with the Japanese authorities and have lots 40a and 41, Sagarimatsu, transferred to my name on the same conditions specified in Title deeds heretofore recorded.

I remain, Sir,

Very respectfully,

(Signed.) Edward Lake.

(Copy.)

No 218. Nagasaki Kencho, September 25th, 1894

Dr. W. H. Abercrombie,

U. S. Consul, Nagasaki.

Sir:-

In reply to your letter dated the 18th inst. communicating the request of Mr. Edward Lake to have the lots Nos. 40a and 41 Sagarimatsu, transferred to him from the 1st October, 1894, I have the honor to enclose herein the Title deeds for the above two lots in duplicate with each translation, for which I request you will collect the amount of Yen 3.00 and forward me as fees for the papers issued.

Of the amount $84.84 which you sent me as land rent for the said lots I beg to return you the amount of $42.42, being the rent from October next, as I am not able to receive it directly, and request that you will order Mr. Edward Lake to pay the amount of rent mentioned in the Title deeds to the Nagasaki Honkinko (the 18th National Bank), in due date fixed in the Notice for payment.

I also beg to enclose two receipts for the amount of $42.42 being land rents for the period up to September, 1894.

I have the honor to be, etc.,

(Signed.) C. Ohomori,

Governor of Nagasaki Ken.

(Copy.)

No. 659. Consulate of the United States,
Nagasaki, Sept. 26, 1894.

Edward Lake, Esq.,
Nagasaki.

Sir:-

I enclose herewith new Title deeds for lots 40a and 41 Sagarim atsu transferred to you from October 1st, 1894, according to the request contained in your application of Seprember 17th. Isend you receipts for the rent paid up to 30th inst. from the Kencho.

The Notice for payment of rent from October 1st, 1894, to March 31st,1895, the Governor requests you to pay the same to the 18th National Bank.

The fees are as follows:-

Paid to Kencho	Y 3.00
Paid to Consulate	5.00
	Y 8.00

Cash returned to you Y 34.42

The Consular copy of deeds are on file at this office.

I am, Sir,
Your obedient servant,
(Signed.) W. H. Abercrombie, U. S. Consul.

(Copy.)

No. 665. United States Consulate,
Nagasaki, Sept. 28, 1894.

C. Ohomori, Esq.,
Governor of Nagasaki Ken, Kencho.

Sir:-

I have the honor to forward to you the following list of buildings at Kozone , formerly leased by Geo. W. Lake:-

One Rice Cleaning Mill with Engine House and Rice Polishing House attached.

One dwelling house.

One stone and brick godown.

One shed used for boat building.

I am, Sir,
Your obedient servant,
(Signed.) W. H. Abercrombie,
U. S. Consul.

(Copy.)

No. 673. Consulate of the United States,
Nagasaki, Oct. 2d, 1894.

Edward Lake, Esq.,
Nagasaki.

Sir:-

I return to you herewith enclosed, the sum of Y283.16 being balance of the amount of Y368.00 you sent me , after paying the rent of lots 40a and 41, Sagarimatsu,.

I am, Sir,
Your obedient servant,
(Signed.) W. H. Abercrombie.
U. S. Consul.

(Copy.)

No. 233. Nagasaki, Kencho, October 19th, 1894.

Dr. W. H. Abercrombie,

U. S. Consul, Nagasaki.

Sir:-

I have the honor to inform you that I been reported by Officer whom I sent to the Shipbuilding place "A" Kozone in order to take proceedings towards disposing the buildings thereon transferred by you yo yhis Kencho, that the ground is still being used for Rice cleaning and Shipbuilding purposes, and that on enquiries they were told that the work are being carried by Mr. Edward Lake.

As Mr. Edward Lake has no right of using the ground, I request you will kindly order him to stop the work at once and to remove all articles within the period of one week from this date, except the buildings transferred by you to this Kencho.

I have the honor to be, etc.,

(Signed.) H. Minakami,

Secretary of Nagasaki Ken.

Acting for the Governor.

(Copy.)

No. 688. Consulate of the United States,
Nagasaki, October 19, 1894.

Edward Lake, Esq.,
Nagasaki.

Sir:-

I am in receipt of a communication from Mr. Ohomori, Governor of Nagasaki Ken, informing me that you are trespassing upon the property known as Shipbuilding place "A", Kozone,. You are herewith notified that you will be arrested for trespass should you continue to carry on business there, as this land with buildings is now the property of Japanese Government , and the buildings will be sold by them to defray ground rent and other expenses incurred.

As the attorney of Geo. W. Lake, you will be allowed to remove and take charge of everything, except buildings.

I am, Sir,

Your obedient servant,

(Signed.) W. H. Abercrombie,

U. S Consul.

(Copy.)

Nagasaki, 23rd October, 1894.

W. H. Abercrombie, Esq.,

U. S. Consul, Nagasaki.

Sir:-

I beg to enclose a letter to Hon. C. Ohomori, Governor of Nagasaki Ken, as per copy enclosed to you; if you will have the kindness to forward the same to him I shall feel greatly obliged.

I remain, Sir,

Very respectfully,

(Signed.) Edward Lake.

Nagasaki, Oct. 20th, 1894.

Hon. C. Ohomori,

Governor of Nagasaki Ken.

Sir:-

I beg leave to submit for your kind consideration the following fact relative to the Shipbuilding and Milling premises, lot "A" Kozone machi. Some twenty-seven years since I purchased the aforesaid lot "A" at public auction and caused the Title deed to be recorded in the name of my brother George W. Lake, and have regularly paid the land officers the rent annually due. Had the Government forced the return of this lot when my brother was ordered by W. P. Mangum toleave Japan about twenty-two years since, it would not have been of such serious consequence as now but of late

years

years I have expended several thousand dollars in the erection of Rice Cleaning Machinery and buildings which if I am compelled to remove would be attended with serious loss. I cannot believe that either yourself or the Japanese Government are disposed to place us to so great expense. I therefore beg that lot "A", Kozone machi, remain inmy brother's name or be transferred to myself at the same annual rent as heretofore charged, there being nothing specified in the Title deed that the lot must be surrendered so long as the annual rent is regularly paid.

I cannot believe Land in that locality would be of greater value to others than to myself, as the lot fronting Mr. Kozone's premises, to gether with many other lots in the Settlement , have been unoccupied during many years past.

It certainly appears unjust, at the present time, to demand from me about five times the amount yearly charged. during the past 27 years.

Believing that you will give this matter your kind attention and hoping to receive a favorable reply

I am, Sir,

Your obedient servant,

(Signed.) Edward Lake.

(Copy.)

No. 236. Nagasaki Kencho, Nagasaki Oct. 26th, 1894.

Dr. W. H. Abercrombie,

U. S. Consul,

Nagasaki.

Sir:-

I have the honor to acknowledge the receipt of your letter dated the 24th inst., transmitting me a letter from Mr. Edward Lake, regarding the Shipping building place "A", Kozone.

In reply I beg to inform you that the said lot had been rented to Mr. George W. Lake and Mr. Edward Lake has no connection with the ground. I have to state that I am not able to give any consideration to his letter.

I beg to request you will kindly notify the above to Mr. Edward Lake.

I have the honor to be, etc.,

(Signed.) C. Ohomori,

Governor of Nagasaki Ken.

(Copy.-

No. 239. Nagasaki Kencho,

November 2d , 1894.

Dr. W. H. Abercrombie,

U. S. Consul, Nagasaki.

Sur:-

I have the honor to acknowledge the receipt of your letter dated the 3 Oth ultimo forwarding me a copy of the letter addressed to you by Mr. Edward Lake, regarding ship building place "A" Kozone.

I now beg to request that you will kindly cause the Engine and other contents in the building on the said lot to be removed without any further delay.

I have the ho nor to be,

Sir,

Your obedient servant,

(Signed.) C. Ohomori,

Governor of Nagasaki Ken.

(Copy.)

No 690. Consulate of the United States,

Nagasaki, Oct. 24, 1894.

C. Ohomori, Esq.,

Governor of Nagasaki Ken, Kencho.

Sir:-

In reply to your communication of October 19th informing me of the trespass of Edward Lake upon property transferred to your Kencho, namely: Shipbuilding place "A" Kozone, Ihave to inform you that Mr. Lake was immediately notified by me in accordance with your request.

Should Mr. Lake continue to trespass on ground owned by you, upon application from the proper authorities, he will be arrested and tried by me.

Iam, Sir,

Your obedient servant,

(Signed.) W. H. Abercrombie,

U. S. Consul.

(Copy.)

No. 692.

Consulate of the United States,
Nagasaki, Oct. 27, 1894.

Edward Lake, Esq.,
Nagasaki.

Sir:-

In reply to the communication from you transmitted by me to Governor Ohomori, I have to inform you that the Governor declines to take your letter into consideration. In this connection I hereby notify you that it will be my duty to place you under arrest and trial for trespass upon the Shipbuilding place "A", Kozone, after this date. I must also warn you that in case of such arrest, trial and conviction, you having already been tried and convicted in this Court of misdemeanor, the Japanese Go vernment may deport you from this country according to Art. VII of Treaty between the United States and Japan.

I am, Sir,

Your obedient servant,

(Signed.) W. H. abercrombie,

U . S. Consul.

(Copy.)

No. 696. Consulate of the United States,
Nagasaki, Oct. 30, 1894.

C. Ohomori, Esq.,
Governor of Nagasaki Ken, Kencho.

Sir:-

I have the honor to forward the following communication received from Mr . E. Lake, for your information:

"Nagasaki, October 29, 1894.

"W. H. Abercrombie, Esq.,
"U. S. Consul, Nagasaki.

"Sir:- I have received your communication No. 692, dated "Saturday 27th Oct., 1894 . Having no other alternative than "to consider that communication equivalent to your order in " the United States Consular Court, Acting Judicially, to "surrender the Shipbuilding and Rice Milling premises lot "A", "Kozone machi, with property thereon, to the Japanese Govern- "ment ,failing to comply I will be prosecuted and deported for "trespass on said property.

"Not taking into consideration the great losses sustained "by the stoppage of business, or otherwise, I have ordered all ""employees to leave the premises.

"I am, etc.,

(Signed.) "Edward Lake."

(Copy.)

No. 698. Consulate of the United States,
Nagasaki, Nov. 2d, 1894.

C. Ohomori, Esq.,
Governor of Nagasaki, Ken, Kencho.

Sir:-

I have the honor to acknowledge receipt of your letter dated Nov. 2d, requesting me to cause to be removed the engines and other contents in the buildings of Shipbuilding place "A" Kozone. In reply, I beg to state that Mr.Edward Lake was notified by me to remove the engi nes andother contents in the said building .

Should he have not done so I have no authority to move furhter in the matter.

I have the honor to be, etc.,

(Signed.) W. H. Abercrombie,
U. S. Consul.

(Copy.)

No. 244. Nagasaki Kencho,

November 10th, 1894.

Dr. W. H. Abercrombie,

U. S. Consul, Nagasaki.

Sir:-

I have the honor to acknowledge the receipt of your letter of the 2nd inst. replying to mine in regard to the engines and other contents in the buildings of the Shipbuilding place "A" Kozone machi.

I beg ti inform you that notwithstanding your order the said engines and other contents in the buildings have not been removed from the place up to this date.

I now have to request that you will kindly take proper steps in your power to have the matter settled speedily, as the said engines and contents in the buildings are the property belonging to the American Citizen, and as Mr. Edward Lake does not seem to observe your order.

I have the honor to be,

Sir,

Your obedient servant,

(Signed.) C. Ohomori,

Governor of Nagasaki Ken.

(Copy.)

No. 708. Consulate of the United States,

Nagasaki, Nov. 17, 1894.

C. Ohomori, Esq.,

Governor of Nagasaki Ken, Kencho.

Sir:-

I reply to your letter of 10 th inst. I have the honor to inform you that I have no authority to receive from you or remove Engines and Machinery from Shipping place "A", Kozone machi, nor have I power to compel Mr. Edward Lake to remove them. You have, however, the right to remove them at the risk and cost of the owner, due notice having been given himby me.

In this connection I would earnestly request you to again endeavor toobtain for Mr. Edward Lake a renewal of the lease of No. "A" Kozone, at the same rental as paid by his brother or himself for so many years.

I am, Sir,

Your obedient servant,

(Signed.) W. H. Abercrombie,

U. S. Consul.

Enclosure 2 with Mr. Dun's No. 221.

Copy.

Translation.

No. 49.

Department of Foreign Affairs,
Tokio, the 15th day, the 12th month,
the 27th year of Meiji.
(December 15, 1894.)

His Excellency
Edwin Dun
Envoy Extraordinary and Minister Plenipotentiary of the
United States of America.

Sir:-

I am in receipt of a communication from the Governor of Nagasaki to the effect that as a rice mill and other miscellaneous things owned by George W. Lake, United States citizen, who was some time ago expelled from Japan, are left unremoved in a place at Kozone machi, Nagasaki, which was formerly leased to the said person, the Governor repeatedly communicated to the United States Consul at that port in regard to the disposal of these things, but the Consul replied to the effect that he had no authority in the matter, and consequently the Governor asked my instructions for the steps that may be taken therefor.

In case no steps are taken by the United States authorities, the Imperial Government will be compelled to act in such manner as they deem proper, in regard to the disposal of these things. I have, therefore, the honor to request that

Your

Your Excellency will be good enough to issue instructions in respect to this matter to the United States Consul at Nagasaki

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

(Signed.) Viscount Mutsu Munemitsu,
Minister for Foreign Affairs.

Enclosure 3 with Mr . Dun's No. 221.

Copy.

No. 89. Legation of the United States,

Tokyo, December 17, 1894.

His Excellency

Viscount Mutsu Munemitsu,

His Imperial Japanese Majesty's Minister for Foreign Affairs.

Sir:-

I have the honor to acknowledge the receipt of Your Excellency's Note, of date the 15th instant, informing me that a rice mill "and other miscellaneous things owned by "George W. Lake, United States citizen who was some time ago "expelled from Japan, are left unremoved at a place at Kozone "machi, Nagasaki, which was formerly leased to said person", and requesting me to issue instructions in respect to the matter to the United States Consul at Nagasaki.

Having no information in regard to the matter prior to that contained in Your Excellency's Note under reply, I have the honor to request that Your Excellency's Government will take no further action in the matter until I have received a report from the United States Consul at Nagasaki in regard to it. The Consul will be at once instructed to furnish the desired report.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

(Signed.) Edwin Dun.

Enclosure 4 with Mr. Dun's No. 221.

Copy.

No. 132. Legation of the United States,

Tokyo, December 17, 1894.

W. H. Abercrombie, Esquire,

United States Consul,

Nagasaki.

Sir:-

I enclose herewith for your information copy of a note dated the 15th instant from H. I. J. M's. Minister for Foreign Affairs, relative to a rice mill and other property belonging to G. W. Lake.

You are requested to furnish me, at your earliest convenience, with information on the following points:

1st.- When was the lease of the land occupied by Lake revoked?

2nd.- On what ground was the lease revoked,- for non-payment of rent; for not complying with the terms of lease, or on account of his deportation?

It is necessary that I should be fully informed in regard to the matter before taking any action in the premises.

I am, Sir,

Your obedient servant,

(Signed.) Edwin Dun.

Enclosure: Copy of Note from Minister for Foreign Affairs.

Enclosure 5 with Mr. Dun's No. 221.

Copy.

Translation.

No. 52.

Department of Foreign Affairs,
Tokio, the 20th day, the 12th month,
the 27th year of Meiji.
(December 20th, 1894.)

His Excellency
Edwin Dun,
Envoy Extraordinay and Minister Plenipotentiary of the
United States of America.

Sir:-

I have the honor to acknowledge the receipt of Your Excellency's Note dated the 17th instant, in reply to the inquiry I had the honor to make concerning the disposal of the rice cleaning mill and other miscellaneous articles belonging to George W. Lake, a United States citizen, in which you request that in the absence od any report whatever from the United States Consul at Nagasaki, no further steps may be taken in the matter until a report is received from him. As, however, I am in receipt of a telegram, dated to-day, from the Governor of Nagasaki, again asking for speedy disposal of the matter I beg to crequest that you will be good enough to furnish me with a reply at your earliest convenience .

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

(Signed.) Viscount Mutsu Munemitsu,
Minister for Foreign Affairs.

Enclosure 6 with Mr. Dun's No. 221.

Copy.

(Telegram.)

"Tokio, December 24, 1894.

"Abercrombie, Consul, Nagasaki.

"Wire date of tenders of rent by Edward "Lake and refused at land office. See enclosure nine with "your number 716. Dun."

Enclosure 7 with Mr. Dun's No. 221.

Copy.

Personal.

Legation of the United States,

Tokyo, January 3, 1895.

Dear Viscount Mutsu,

Upon further investigation I find that the question involved in connection with Lake's property at Nagasaki is a far more serious one than I had at first supposed. I am now convinced that a very grave wrong has been done which can only be partly righted after further and thorough investigation. In order that this investigation may be made, I earnestly request that Your Excellency will instruct the Governor of Nagasaki to take no further action in the matter for the present. In my opinion the case is urgent and a grave injustice can be remedied only by prompt action. I have instructed the United States Consul at Nagasaki by telegraph to withdraw his letter of September 10th to Governor Ohomori cancelling the title deeds to the lots of land leased by George W. Lake.

I trust you will pardon me for again troubling you in connection with this matter butwhen all the facts in the case have been presented to you I am convinced you will recognize that I am right in requesting that no further action be taken until the case has been thoroughly investigated and presented to you by me.

I remain, dear Viscount,

Sincerely yours,

(Signed.) Edwin Dun.

Enclosure 8 with Mr . Dun's No. 224 .

Copy.

(Telegram.)

"Tokio, January 2, 1895.

"Abercrombie, American Consul, Nagasaki.

"You are instructed to at once withdraw your
"letter of September tenth to the Governor cancelling Lake's
"leases and to inform him that the matter is now under
"investigation by me.

"Dun, Minister."

Enclosure 9 with Mr. Dun's No. 321.

Copy.

No. 93. Legation of the United States,

Tokyo, January 5, 1895.

His Excellency

Viscount Mutsu Munemitsu,

His Imperial Japanese Majesty's Minister for Foreign Affairs.

Sir:-

Referring to Your Excellency's notes Nos. 49 and 52 of date December 15th and 20th, 1894, relative to certain property owned by George W. Lake, a citizen of the United States some time since deported from Japan, ~~which~~ the Governor of Nagasaki desired should be removed from the premises at Kozone machi, Nagasaki, formerly leased to the said Lake, I am now in receipt of a report from the United States Consul at Nagasaki that places me in possession of the facts relative to the cancellation of leases of certain lots in Nagasaki owned by George W. Lake, and ~~the~~ to Governor Ohomori's request that a rice mill and other property on lot "A" Kozone be removed.

It appears ~~that~~ from U. S. Consul Abercrombie's report that George W. Lake failed to pay rent due, march 31st, 1894, on three lots leased by him, to wit: lots 40a and 41 and Ship yard "A" Kozone; that the said Lake was properly notified by Consul Abercrombie on July 22nd and 24th, 1894, of his neglect to pay the rent due and, on the last named date, (July 24th), informing him of Governor Ohomori's demand that, in case the

rent

rent was not paid before the 1st of August, 1894, the title deeds to the lots leased by him br declared null and void, and that the said lots with the buildings thereon be transferred to the Japanese Government. On August 7th, 1894, Consul Abercrombie notified Governor Ohomori that, on certain conditions set forth in the letter, he would declare the title deeds to the lots leased by Lake null and void. On the 31st of August Governor Ohomori, in reply to Consul Abercrombie's letter of the 7th, accepted the conditions or reservations made by Consul Abercrombie and requested that when the title deeds had been declared null and void they be returned to the Nagasaki Kencho. On September 10th, 1894, in a letter to Governor Ohomori, Consul Abercrombie formally declared the title deeds in question to be null and void and enclosed to the Governor the Consular copies of the same . Prior to that time, Edward Lake, holding a power of attorney for his brother George W. Lake, went to the Nagasaki Land Office on three separate occasions, to wit: on August 25th and 27th, and September 7th, and tendered payment of the rent due on his brother's lots. The Land Office refused to receive the rent tendered by Edward Lake on the ground, as Consul Abercrombie was verbally informed by Governor Ohomori, that non-resident foreigners could not hold leases in Nagasaki. On September 7th, after the Land Office had refused to receive from him the rent due on his brother's lots, Edward Lake sent the sum due-Yen 368- to Consul Abercrombie to be paid by him to the Japanese authorities at Nagasaki at such time as they would receive itin payment of the rent due on his brother's lots.

lots. It appears, therefore, that while the lots in question were still recognized as the property of George W. Lake, no competent authority having at that time declared his title to the lots null and void, he tendered payment of the rent due through his attorney Edward Lake and the Nagasaki Land Office refused to receive the rent tendered.

No suit was brought in the United States Consular Court at Nagasaki to annul the title to the property leased by George W. Lake, and there is no record of such annulment havin g been made by that Court. Neither is therea record of any judicial procedure on the part of the properly constituted Japanese authorities to annul the leases in question, the only record in the premises is a letter of date Sept. 10th, 1894, from the Consul of the United States to the Governor of Nagasaki in which the leases are declared to be null and void. Even this declaration was made after repeated tenders of rent due had been refused by the Nagasaki Land Office. It seems to me that after a te nder of rent due had been made neither the Consul of the United States nor the Governor of Nagasa ki was competent to annul the leases in question. Such annulment could only be made by properly qualified judicial authority.

As for Governor Ohomori's verbal statement that only resident foreigners can legally hold leases of land in Nagasaki, I can find nothing either in the Treaty between the United States and Japan, nor in the Nagasaki Land Regulations to sustain that contention.

It is true that Art.II of those Regulations provides that "Allotments of land will be made only ot bona fide res-"idents", but there is nothing in those Regulations that prevents the holding of property by a nonresident that was

"was acquired by him in good faith while a resident. The lease of the property in question was in the name of George W. Lake for twenty-seven years and during twenty years of ~~this~~ that time George W. Lake was not a resident of Nagasaki, and during thattwenty years his legal right to hold the property was not questioned.

It is not to be supposed that the Nagasaki Land Regulations provide for the confiscation of property without due process of law. The #Certificate of Title" issued to lease holders at Nagasaki provides that if the lease holder fails to conform to the provisions of the Land Regulations the title to the land leased by him shall become null and void"and "the buildings on the said land shall become the property of "the Japanese Government", but certainly some competent authority must determine whether or not the lease holder has failed to conform to those Regulations. The title deeds to land in the Foreign Settlement at Tokyo explicitly statesthat competent authority to be the Consular Court of the lease holder's nationality, a judgment being required.

In the "Arrangement for the Control and Management of "the Munisipal Affairs of the Foreign Settlement at Yokohama" it is provided, (Art.V.), "The land rents payable by Foreign-"ers will be collected by the said Direstors, as soon as they "become due, for and on account of the Governor of Kanagawa, "and the said Director, acting in the name of the Governor of "Kanagawa, will be empowered to sue Foreigners for default "of payment before their own authorities."

Therefore,

Therefore, at Tokyo and Yokohama in case a lease holder fails to comply with the Land Regulations the course to be pursued is clearly indicated in those regulations. It cannot be supposed that an entirely different course of procedure was intended by the framers of the Nagasaki Land Regulations, or, in other words , that those Regulations confer upon any individual the power of arbitrary confiscation. Certainly the Consul of the United States at Nagasaki has no such power. He can enforce the payment of rent due or annul a lease on account of non-payment of rent in his judicial capacity only, that is as Judge of the United States Consular Court at Nagasaki, and, in the event of the property involved being of considerable value, he is then only competent to give judgment when properly qualified associates have been drawn to sit with him in the trial of the case.

It seems clear, therefore, that proper proceedings were not instituted by the Governor of Nagasahito annul the title deeds to the property leased by George W. Lake, and the Consul Abercrombie had no power or authority to cancel those title deeds. His action in the matter was ultra viresand, therefore of no effect.Under the circumstances I have deemed it proper to to instruct Consul Abercrombie to withdraw his letter of September 10th, 1894, to Governor Ohomori in which he declared that the title deedsto thr proper ty leased by George W. Lake werenull and void.

For the reasons stated herein I am of the opinion that George W. Lake has not yet been rightfully or legally dispossessed of the property leased by him at Nagasaki and that justice demands that it should be restored to him.

I

I have the honor to submit the foregoing statement for Your Excellency's considerationin the confident belief that Your Excellency will cause a thorough inquiry to be made into the matter by the Imperial authorities and that if the views expressed herein are found to be in accordance with the dictatesof equity and justice, such action will be taken by Your Excelleny as will result in the restoration to George W. Lake of the property of which he has , in my opinion , beem wrongfully dispossed.

I avail myself of this occasion to renew to Your Rxcellency the assurances of my highest consideration.

(Signed.) Edwin Dun.

Enclosure 10 with Mr. Dun's No. 221.

Copy. Nagasaki, Japan, Dec. 31st, 1894.

Hon. Edwin Dun,

Envoy Extraordinary and Minister Plenipotentiary of

U. S. America, Tokyo, Japan.

Sir:-

Having received information that Governor C. Ohomori has received instructions from H. I. J. Minister for Foreign Affairs, to take possession of our Ship and Milling lot B Kozone machi, Nagasaki, and to sell our rice mill, Engines, Boilers, and other Machinery, with Rice Mill Buildings, Warehouses, Dwelling house and other Buildings, together with everything on said lot belonging to us.

And on the 27th October, 1894, W. H. Abercrombie, Esq., U. S. Consul, officially notified me that, should I continue to to carry on business on said premises, that I would be arrested and prosecuted for trespass and if found guilty would be punished therefor, and subject to deportation from Japan. Rather than undergo this unjust treatment I at once dismissed all employees connected with that extensive business, and on the 29thOctober officially notified W. H. Abercrombie, Esq., thereof. As a pretence it is claimed that we refuse to pay the rent on said Lot due from April 1st, 1894, to March 31st, 1895, which is wrong in every respect.

In the first instance, early this year I forwarded the amount of rent to the Land Officers by my servant who returned it to me stating that they would not receive the money

without

without explanation which caused me to believe that the rent had been paid by my brother.

Not receiving Notice this year, as in former years, to pay the rents which I have paid at various dates during the past twenty-five years the last payment being made on the 21st August, 1893, as per receipt held by me.

That in August last I was privately informed that the Japan Government would not receive further rent from me for the use of said Lot but intended to give it to a Japanese subject by the name of Kozone . After the receipt of this information I again sent the money to the Land Officers by Mr. Shogi Sakamoto, who returned it stating that they would not receive it from him. As per certificate enclosed. Again on the 25th August last the money was taken to the Kencho as per Mr. Smith's certificate enclosed.

On the 7th day of September last I wrote letter to the Land Officers and delivered it personally with the rent which I laid before them. They read the letter but refused to receive the money ordering me to take it away, staing their instructions were not to receive from us rent for said Lot.

Mr. Takahash Matakichi and Mr. Yamaguchi Tadachi then said a letter had been received from the United States Consulate, Nagasaki, instructing them not to receive the rent from me, they again made a similar statement to Mr. Shogi Sakamoto.

I then sent the amount of rent to the United States Consulate as per copy of letter herewith.

Since that date, October 29th, 1894, there being no person to watch our property or protect it, our property is being destroyed by Japanese and others. I do therefore protest

against

against the action of the Japanese Government Land Officers in not recei ving the rent of Lot B Kozono machi, Nagasaki, for the year ending March 31st, 1895, and against being deprived of our just rights and request your kind assistance to recover all losses in connection therewith.

I am, Sir,

Your Ob't. servant,

(Signed.) Edward Lake.

(Copy.)

This is to certify that I went to the Nagasaki Kencho with Yen 367.87 Three hundred and sixty seven& 87/100 by request of Mr. Edward Lake and there offered the Money to Mr. Takahash Matakichi and Mr. Yamaguchi Tadachi the Japanese Government Land Officers in Payment of Japanese Government land rent on Lot 40 A and 41 Sagaramatsu and Lot . B Shi p and Milling premises at Kozana machi , recorded in the name of Mr. Lake and the Officers refused to receive the money. from me and granb receipt.

Rent of Lot 40 A	43.40
41	41.44
Ship and Milling Lot B	283.05
	367.89

(Signed.) Shogi Sakamoto.

Nagasaki, 22August, 1894.

(Copy.)

This is to certify that I went to the Kencho in the City of Nagasaki with Mr.Edward Lake on the 25th day of August,1894 The intention being to pay land rent on Lots 40A and 41 Sagarimatz and the Shipbuilding and Milling Lot B Kazana Machi, Mr. E. Lake taking the money for the purpose, but on arrival found no one there to receive the money and grant receipt for same.

(Signed.) E. W. A. Smith.

(Copy.)

Nagasaki, 7th, September, 1894.

W. H. Abercrombie, Esq.

U. S. Consul, Nagasaki.

Sir:-

With enclosed please receive Three hundred and sixty-eight Yen -368.oo- equivalent in Mexican dollars in payment of the Imperial Japanese Government Land Rent on lot 4oA and 41 and Ship yard B Kozana Mach Nagasaki and recorded in the name of George W. Lake.

The above amount is for one year's rent in the years of 1894 and 1895 which has been presented to the Land Officers at the Nagasaki Kencho and has been refused three times. I therefore desire to place the amount in your hands to be handed over to them when they will grant receipt for same.

I remain, Sir,

Very respectfully,

(Signed.) Edward Lake.

Enclosure // with Mr. Dun's No. 221.

Copy.

No. 138.

Legation of the United States,

Tokyo, January 8, 1895.

Edward Lake, Esq.,

Nagasaki.

Sir:-

I have to acknowledge receipt of your letter of December 31st last, and to inform you that I have already made a representation to H. I. J. M's. Minister for Foreign Affairs relative to the cancellation of title deeds to property in Nagasaki leased by your brother Mr. George W. Lake, and strongly urging that the property in question be restored to your brother as, in my opinion, he has been wrongfully and unjustly deprived of the same.

I am, Sir,

Your obedient servant,

(Signed.) Edwin Dun.

Enclosure/2 with Mr. Dun's No. 221.

Copy.

No. 731. Consulate of the United States,

Nagasaki, January 3rd, 1895.

Honorable Edwin Dun,

E. E. and M. P. of the United Staes,

Tokyo.

Sir:-

I have the honor to acknowledge the receipt of Your Excellency's telegraphic despatch dated the 2nd instant, reading:-

"You are instructed to at once withdraw your letter of Septem-
"ber tenth to the Governor cancelling Lake's leases and to
"inform him that the matter is now under investigation by me."

to which I have given full attention, and now await Your Excellency's written advices re specting it.

I have the honor to be,

Sir,

Your obedient servant,

(Signed.) W. H. Abercrombie,

U. S. Consul.

File

No. 222.



Legation of the United States.
Tokyo, Japan, January 17, 1895.

Mr. Dun
to the Secretary of State.

Subject:
Readings of telegrams.

No. 222.

Legation of the United States,
Tokyo, Japan, January 17, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose herewith the readings of your telegraphic instruction of date the 15th instant and of my telegram to you dated today.

I have the honor to be,
Sir,
Your obedient servant.
Edwin Dun

Enclosures

No. 222.

Legation of the United States,
Tokyo, Japan, January 17, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose herewith the readings of your telegraphic instruction of date the 15th instant and of my telegram to you dated today.

I have the honor to be,
Sir,
Your obedient servant.
Edwin Dun

Enclosures

Enclosures:

1. (Tel.). Secy. of State to Mr. Dunn.

2 (Tel.). Mr. Dunn to Secy. of State.

Enclosure 2 with Mr. Dun's No. 222.

Reading of a telegram transmitted to the Secretary of State January 17, 1895.

"Tokio, January 17, 1895.

"Gresham, Washington.

"Lieut. Beacom wishes follow Japanese army.

"Japanese Government consents if our Government approves.

"Cable answer Beacoms expense.

"Dun."

Enclosure1 with Mr. Dun's No. 211.

Reading of a cipher telegram received from the Secretary of State, January 16, 1895.

"Washington, January 15, 1895.

"Dun, Minister, Tokio.

"Inform Japanese Government that "John W. Foster in assisting China in peace negosiations acts "individually and bears no relation of any kind to the United "States.

"Gresham.

Enclosure1 with Mr. Dun's No. 211.

Reading of a cipher telegram received from the Secretary of State, January 16, 1895.

"Washington, January 15, 1895.

"Dun, Minister, Tokio.

"Inform Japanese Government that "John W. Foster in assisting China in peace negosiations acts "individually and bears no relation of any kind to the United "States.

"Gresham.

Jou.

TELEGRAM RECEIVED.

Secretary of State.
FEB 7 1895

1895

From Tokio

Feby 2d, 1895.

Gresham,

Received 10- A.M.

Washington.

Confirmed Feb 5 1895

FEB 4 1895

February Second

Peace plenipotentiaries

met Hiroshima Jesterday

Japanese plenipotentiaries Count

Ito, Vicount Mutsu

Dun

TELEGRAM RECEIVED.

Cipher

Secretary of State. FEB 4 1895

DIPLOMATIC BUREAU. FEB 6 1895

From Tokyo

February 3, 1895.

Gresham

Received M.

Washington.

confirm by mail Feb 5 - Confirmed Feby 7

February third. Peace negotiations have been broken Chinese plenipotentiaries' credentials insufficient. y will leave for China to-day

Dun.

Vol 16 3/7.95

DIPLOMATIC BUREAU
MAR 6 1895

No. 228.

INDEX BUREAU
RECD
MAR 1 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, February 4, 1895.

Mr. Dun
to the Secretary of State.

Subject:
Failure of the Chinese Peace
Mission.

No. 223.

Legation of the United States,
Tokyo, Japan. February 4, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:-

Mr. Hayashi, Vice Minister for Foreign Affairs, visited me at this Legation yesterday morning and informed me he had received a telegram from Viscount Mutsu at Hiroshima stating that at a meeting, on the 1st instant, of the Japanese and Chinese Plenipotentiaries appointed by the two

powers

powers to negotiate terms of peace, the credentials, or powers, of the Chinese Plenipotentiaries having been submitted to the Japanese Plenipotentiaries, - Count Ito and Viscount Mutsu -, were found by them to be defective and unsatisfactory and, in consequence, the Chinese Plenipotentiaries were informed, at a second meeting on the 2nd instant, that the Japanese Plenipotentiaries must decline to continue the negociations. They were, however, assured by Count Ito, Minister President of State, that should China send properly qualified Plenipotentiaries to

Japan

Japan with full powers to conclude peace, the Japanese Government would receive them, and re-open negociations.

The Chinese Envoys leave Hiroshima to-day for Nagasaki and from thence to China by the first steamer for Shanghai.

I have the honor to enclose herewith translation copy of the credentials submitted by the Chinese Plenipotentiaries, as telegraphed by Viscount Mutsu to Mr. Hayashi and handed to me by the latter. From this translation it would seem that no power or authority whatever

was

was conferred upon the Chinese Plenipotentiaries to conclude or sign anything, they being required to submit all questions that arose during the negotiations to the Tsungdi Yamen for determination.

In this connection I have the honor to enclose herewith an editorial clipped from the "Japan Mail" of today's date entitled "Failure of the Peace Embassy."

2.

I had the honor to inform you yesterday by telegraph that the peace negociations had been broken off. I also telegraphed the same information

information to Minister Denby at Peking.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Enclosures:

1. Trans copy of credentials of Chinese Envoys.
2. Editorial from "Japan Mail"

Enclosure 1 with Mr. Dun's No. 223.

Copy.

LITERAL TRANSLATION OF AUTHORITY OF CHINESE PLENIPOTENTIARIES.

By decree We do appoint (Names and Rank of Chinese Plenipotentiaries) to meet and negotiate the matter with Plenipotentiaries appointed by Japan. You will however telegraph to Tsung li Yamen for the purpose of obtaining Our command by which you will abide. Members of your Mission are placed under your control. You will carry out your mission in faithful and diligent manner and will fulfill trust We have reposed in you. Respect this Seal.

Encl. 2. with Mr. Dun's No. 223

The Japan Daily Mail.

YOKOHAMA, MONDAY, FEBRUARY 4, 1895.

FAILURE OF THE PEACE EMBASSY.

THE hopes of peace that were based on the coming of the Chinese Envoys have proved abortive. On the 1st instant the Envoys met the Japanese Plenipotentiaries in the conference chamber of the Hiroshima Prefectural Offices, and the credentials of each side were submitted. Subsequently, the powers of the Chinese Embassy were examined, when it was found that they were signally defective. In the first place, no mention whatever was made about the object of the mission; in the second, the Envoys were not given power to conclude any arrangement; and in the third, they were distinctly instructed simply to act as conveyers of messages between the Japanese Government and the Tsung-li Yamên. Under these circumstances, it is plain that to open negotiations was out of the question. The Japanese Plenipotentiaries therefore invited the Chinese Envoys to another conference on the following day. At 4.40 p.m. their Excellencies CHANG and SHAO arrived at the Council Chamber, where Count ITO and Viscount MUTSU were already waiting. Some questions were addressed to the Envoys with reference to their credentials, and finally Count ITO informed them that as their powers were quite inadequate, the Japanese Plenipotentiaries must decline to confer with them. His Excellency added, however, that Japan would be willing to receive any plenipotentiaries coming duly accredited.

China's conduct in this matter seems open to one interpretation only; she is not in earnest. Yet even that explanation is insufficient. It is inconceivable that she can have expected to betray Japan into the flagrant blunder of negotiating with Envoys of such a character. She had received ample warning that the question of credentials would be carefully scrutinized. Communications on that very subject had passed between Pekin and Tokyo, their issue being an emphatic assurance from the Chinese Government that its Envoys were invested with due plenipotentiary authority. It follows, therefore, that China took the trouble of sending a peace embassy with full knowledge that it must fail on the threshold; fail, not because of Japan's greed, but because of China's deliberate neglect of essential technicalities. We say nothing of the insulting triviality of her assurances to Japan. That phase of the affair need not be discussed here. The perplexing point is that China should have put herself so palpably in the wrong. Her diplomacy is even worse than her military display. Those that did not believe in the integrity of her peaceful purpose—and we confess that we were among the number—imagined that she was merely playing to the European gallery. Her last resource lay in Western intervention. Could she have successfully posed as anxious for peace herself, while forcing Japan into the position of unjustly prosecuting the war, she would have established a strong claim upon the active sympathy of States already most desirous of seeing the sword sheathed. She might, perhaps, have managed to contrive such a situation. We do not think that she could, for we know well how reasonable is the mood of the statesmen now directing Japan's affairs. Still, the effort was worth making, and it was in pursuit of such an object, as we imagined, that she deputed their Excellencies CHANG and SHAO to come and talk peace at Hiroshima. But how could she hope for the smallest scintilla of success when she entrusted the unhappy Envoys with credentials obviously farcical? To choose men of comparatively insignificant rank was an intelligible part of the play, but to invest them with the functions of mere telegraph clerks was to reduce the whole business to the level of light comedy. We can scarcely imagine that the Chinese Government aspires to be pitied for ignorance of the alphabet of international etiquette. But what is its ambition? We can not tell. The incident must be added to the catalogue of incomprehensible items constituting the history of the present war. Infinitely regrettable, however, is this new obstacle needlessly thrust into the path to peace. Count ITO and Viscount MUTSU acted wisely in assuring China that, despite the unpleasant necessity imposed on them by her conduct in connection with this embassy, Japan would always be ready to receive duly accredited Envoys. But even that assurance will not appreciably lessen the greatly increased reluctance that China must feel to figure again as a suppliant.

No. 224. Confidential.

Legation of the United States,
Tokyo, Japan, February 5, 1895.

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REC'D.
MAR 1 1895
DEPT. OF STATE

DIPLOMATIC BUREAU
MAR 5 1895

Rec'd 3/6.1895

Mr. Dun.

to the Secretary of State.

Subject:

Credentials of Chinese Envoys.

No. 224. Confidential.

Legation of the United States,
Tokyo, Japan, February 5, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:-

In connection with my despatch No. 223, of date the 4th instant, relative to the failure of the peace negociations at Hiroshima owing to the inadequacy of the Chinese Envoys' credentials, and in explanation of my telegram dated January 19th, 1895, to Minister Denby, (see enclosure

enclosure 4 with my No. 225 of this date), I have the honor to inform you that on the day my telegram was sent I was visited by Mr. Hayashi, Vice Minister for Foreign Affairs, and informed by him that Viscount Mutsu had received information from a reliable source to the effect that the Chinese Plenipotentiaries, then at Shanghai, had not full powers to negotiate terms of peace and, as it would be useless for them to come to Japan unless duly accredited, and as, for obvious reasons, the Minister for Foreign Affairs could make no further inquiry

of

of the Chinese Government relative to the credentials of the Envoys, having been formally assured by that Government that her Plenipotentiaries had full powers to negotiate terms of peace, he, Viscount Mutsu, desired to know if I could ascertain from Minister Denby if the credentials in question were in proper form.

I informed M. Hayashi that I was quite certain that Minister Denby would not feel at liberty to interpret the meaning of the credentials given to the Chinese Envoys but, as Viscount Mutsu desired me to do so, I would

would send a telegraphic inquiry to Mr. Denby in order that he might, if he saw fit, make such inquiries of the Tsung-li Yamen as he might deem proper under the circumstances. With this understanding I prepared and sent to Mr. Denby the telegram in question, taking care, as you will please observe, to inform him for whom the information was sought.

As I had anticipated, Mr. Denby replied, (see Enclosure 4 with my No. 225), to the effect that he could not take the responsibility of construing the meaning of the letters of credence

credence of the Chinese Plenipotentiaries.

I have the honor to be,

Sir,

your obedient servant,

Edwin Dun

2D ASSISTANT SECRETARY.
Ack. by Number and File.
MAR 2 1895

DIPLOMATIC BUREAU.
MAR 2 1895

No. 225.

INDEX BUREAU
RECD.
MAR 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, February 5, 1895.

Mr. Dun

to the Secretary of State.

Subject:
Readings of telegrams.

No. 225.

Legation of the United States,
Tokyo, Japan. February 5, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:-

I have the honor to enclose herewith the readings of telegrams as follows:

1 Secretary of State to Mr. Dun, dated January 21, 1895

Mr. Dun to the Secretary of
3. State, 1 dated February 2, and 1 dated February 3, 1895.

Mr. Dun to Mr. Denby, Peking,

1

1 dated January 19, and 1 dated 4. 8.

February 3, 1895.

Mr. Denby to Mr. Dunn, 1 dated 5.

January 22, and 2 dated Jan 23, 1895. 6.

I have the honor to be,

Sir,

your obedient servant,

Edwin Dunn

Enclosures. 6 as above.

Enclosure 1 with Mr. Dun's No225.

Reading of a telegram received from the Secretary of State, January 22, 1895.

"Washington, January 21, 1895.

"Dun, Minister, Tokio.

"January 21. War Department consents Lieutenant Beacom "follow Japanese Army with assent Japanese Government "on condition he write nothing for publication and "prohibit his correspondents from publishing his letters.

"Gresham.

Enclosure 2 with Mr. Dun's No. 225.

Reading of a telegram transmitted to the Secretary of State February 2, 1895.

"Tokio, February 2, 1895.

"Gresham, Washington.

"February second. Peace Plenipotentiaries me Hiroshima "yesterday. Japanese Plenipotentiaries Count Ito Viscount Mutsu.

"Dun."

Enclosure 3 with Mr. Dun's No. 225

Reading of a cipher telegram transmitted to the Secretary of State, February 3, 1895.

"Tokio, February 3, 1895.

"Gresham, Washington.

"February third. Peace negociations broken off. Chinese "Plenipotentiaries credentials insufficient. They will "leave for China to-day.

"Dun."

(Same sent Minister Denby, Peking.)

Enclosure 4 with Mr. Dun's No. 225.

Reading of a cipher telegram transmitted to the United States Minister at Peking, January 19, 1895.

"Tokio, January 19, 1895.

"American Minister, Peking.

"It is reported that Chinese "Plenipotentiaries have not full powers. Are you at "liberty to inform me for communication to Japanese "Minister for Foreign Affairs if they have full powers "in European sense.

"Dun."

Enclosure 5 with Mr. Dun's No. 225.

Reading of a cipher telegram received from the United States Minister, Peking, January 22, 1895.

"Peking, January 22, 1895.

"American Minister, Tokio.

"January twenty second. I cannot take the responsibility "of construing the letter of cfedence of the Chinese "Plenipotentiaries. The words Plenipotentiaries with "full powers appear therein. If there is any, what "qualifications the Japanese Plenipotentiaries must "decide.

"Denby."

Enclosure 6 with Mr. Dun's No. 225.

Reading of a cipher telegram received from the United States Minister, Peking, January 23, 1895.

"Peking, January 23, 1895.

"American Minister, Tokio.

"January twenty third. The Chinese Plenipotentiaries "will leave Shanghai twenty-eight instant by French "Mail steamer for Japan.

"Denby."

Enclosure 7 with Mr. Dun's No. 225.

Reading of a cipher telegram received from the United States Minister, Peking, January 24, 1895.

"Peking Yamen, January 23, 1895.

"American Minister, Tokio.

"January twenty third. Plenipotentiaries leave on "Empress of China twenty six instant via Nagasaki for "Shimonoseki because departure French steamer changed. "As the steamer will not stop long at Shimonoseki after "they have met Japanese officials they will go in her "to Kobe and thence by rail to Hiroshima. Two Ambassadors "with letters of credence accompanied by secretaries "attaches interpreters. In all twenty one persons besides "twenty three servants. Baggage one hundred and twenty "pieces.

"Denby."

Enclosure 8 with Mr. Dun's No. 225.

Reading of a cipher tlegram transmitted to the United States Minister, Peking, February 3, 1895.

"Tokio, February 3, 1895.

"American Minister, Peking.

"February third. Peace negotiations broken off.

"Chinese Plenipotentiaries credentials insufficient.

"They will leave for China to-day.

"Dun."

2D ASSISTANT SECRETARY.
Ack. by Number and File.
MAR 2 1895

No. 226.

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MAR 1 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, February 5, 1895.

DIPLOMATIC BUREAU
MAR 8 1895

Mr. Dun
to the Secretary of State.

Subject:
Sentiment of the Japanese people towards the prosecution of the war.

No. 226

Legation of the United States,
Tokyo, Japan, February 5, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir.

As indicative of public sentiment in Japan in regard to the prosecution of the war with China, I have the honor to embody below a translation of a resolution which was unanimously adopted by the Lower House of the Imperial Diet on the 1st instant. The translation

reads

reads as follows

"Whereas, in the opinion of this
"House, the time is still distant
"when the objects on account of
"which war was proclaimed by
"His Majesty will be accomplished
"and the Country's prestige es-
"tablished, therefore this House
"is prepared to grant whatever
"amount of appropriations may
"be necessary for the purposes
"of military expenditure, and
"adopts this Resolution with
"the express intention of making
"known its sentiments on the subject

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dunn

DIPLOMATIC BUREAU
FEB 14 1895

Confirmed Feb. 15 1895

Legation of the United States
Tokio, February 13, 1895.
Received Feb. 14.

No. 3.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

ALL CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, and are subject to conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

CHIEF CLERK
FEB 15 1895

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FOUR ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:
All Offices (21,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN:
LONDON: No. 21 Royal Exchange, E. C. No. 109 Fenchurch Street, E. C.
LIVERPOOL: 45 Exchange Buildings.
GLASGOW: No. 29 Gordon Street.
BRISTOL: Backhall Chambers.

530a

NUMBER	SENT BY	REC'D BY	No. OF WORDS.	FROM
1	Grp	mg	36	Tokio

RECEIVED at Washington D.C. Feb 14 1895

Western Washington

February thirteenth Weihaiwei twelfth Admiral Ding to reports Chinese Gunboat flying White flag brought Admiral Tings message Proposing Surrender of ships forts arms Provided lives of Crews Soldiers foreigners secured formal Surrender Being Arranged.

Dun

DIPLOMATIC BUREAU
MAR 8 1895

INDEX BUREAU
REC'D.
MAR 7 1895
DEPT. OF STATE

Legation of the United States,
Tōkyō, Japan. February 15, 1895.

Ack March 9/95

Mr. Whitney
To the Secretary of State.

Subject.
Leave of absence. Is it necessary
to proceed to the United States.

Legation of the United States,

Tokyo, Japan. February 16, 1895.

Honorable W. Q. Gresham,

Secretary of State,

Washington, D.C.

Sir:

Referring to my application, dated 29th November last, for leave of absence for two days with permission to visit the United States and your instruction dated December 22nd granting the same, I have the honor to inform you that having arranged upon the approval of the Minister with Mr. R. S. Fuller of this city for him to perform the duties of interpreter of this Legation during my absence, it is my expectation to leave Japan on the

22nd

22nd instant by the P.D.L. Steamer
Sailing on that date for Southampton
England via Suez Canal, and in the
Connection, regret inst[illegible] we
to[illegible]ther under the circumstances
It will be necessary for me to proceed
to the limited limits as I am desirous
of visiting the home of my wife's family
in England and am taking with me
my family including several small
children and wish to avoid the
sickly inconveniences of winter travel
by the American route, and it is
my desire to remain in England
the greater part or the whole of
my leave as my wife's parents are
very elderly and failing in health
And the present may be the only
opportunity of seeing them.

Yr

In applying for this leave of absence it was my desire to have visited the United States either in coming or going as upon a former occasion, but I should now be glad if I might be permitted to spend the whole time in England if so desired, without the necessity of visiting the United States.

It has occurred to me that under these circumstances and in view of the fact that I have employed at my own expense a competent substitute, my request might meet with the approval of the Department.

I have the honor to ask that I may be informed of your decision in the matter. My address in England will be c/o J. B. Braithwaite Esq 312 Camden

Camden Road London, England,

March 1st 1890

Sirs

Yours obedient servant

Willis Norton Whitney

2D ASSISTANT SECRETARY.
Ack by subject & file.
aag
MAR 19. 1895

Secretary of State.
MAR 19 1895

No. 227.

INDEX BUREAU
REC'D.
MAR 7 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, February 15, 1895.

Ack 2d
21st Mch 95

Mr. Dun
to the Secretary of State.

Subject:
Documents &c. exchanged between the Japanese and Chinese Peace Envoys at Hiroshima

No. 227.

Legation of the United States,
Tokyo, Japan, February 15, 1895.

Honorable W. Q. Gresham,
Secretary of State.
Washington, D. C.

Sir:-

I have the honor to enclose herewith official translations, prepared at the Japanese Foreign Office, of the documents and communications which passed between the Japanese and Chinese Plenipotentiaries at the late Peace Conference held at Hiroshima on the 1st and 2nd days of the current

current month.

These papers were laid before the Imperial Diet by the Vice-Minister for Foreign Affairs on the 6th instant.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Enclosure as above.

Enclosure with Mr. Dun's No. 227.

(TRANSLATION.)

Viscount Mutsu Munemitsu, Junii, First Class of the Imperial Order of the Sacred Treasure, His Imperial Majesty's Minister of State for Foreign Affairs, has the honor to announce to Their Excellencies the Plenipotentiaries of His Majesty the Emperor of China, that His Majesty the Emperor of Japan has appointed His Excellency Count Ito Hirobumi, Junii, Grand Cross of the Imperial Order of Paullownia, His Imperial Majesty's Minister President of State and the undersigned as His Plenipotentiaries to conclude with the duly authorized Plenipotentiaries of China, Preliminaries of Peace, and has confided to them Full Powers for that purpose.

(L. S.) VISCOUNT MUTSU MUNEMITSU,
H. I. M's. Minister of State for Foreign Affairs.

Hiroshima,
The 31st day of the 1st month of the 28th year of Meiji.

(TRANSLATION.)

The undersigned, His Imperial Majesty's Plenipotentiaries, have the honor to acquaint Their Excellencies the Plenipotentiaries of His Majesty the Emperor of China, that the meeting of the Plenipotentiaries of the two Powers is appointed to take place at the Hiroshima Kencho, on the 1st day of the 2nd month of the 28th year of Meiji, at 11 o'clock a. m.

The undersigned will on that occasion be prepared to make with the Chinese Plenipotentiaries a reciprocal exchange of Full Powers.

COUNT ITO HIROBUMI,
VISCOUNT MUTSU MUNEMITSU,
H. I. M's. Plenipotentiaries.

Hiroshima,
The 31st day of the 1st month of the 28th year of Meiji.

(TRANSLATION.)

The 6th day of the 1st moon,
the 21st year of Kuang-Su.

THEIR EXCELLENCIES,
COUNT ITO AND VISCOUNT MUTSU,
PLENIPOTENTIARIES OF HIS MAJESTY THE EMPEROR OF JAPAN.

We have the honor to inform Your Excellencies that in obedience to the command of His Majesty the Emperor of China we proceeded to Japan with the Imperial letter and arrived at Hiroshima on the 6th day of the 1st moon of the 21st year of Kuang-Su.

We beg to acknowledge the receipt of Your Excellencies' note to the effect that you have been specially appointed by His Majesty the Emperor of Japan to be Plenipotentiaries for the purpose of concluding with us Preliminaries of Peace, and to express high appreciation of the fact that Japan has not forgotten her old friendship.

We were about to request Your Excellencies to meet us by asking you to appoint the time of such meeting when we had again the honor to receive your note communicating to us that the meeting will be opened at the Hiroshima Kencho at 11 o'clock on the 1st day of the 2nd month.

We beg in reply to say that we will, in compliance with your desire, attend the meeting at the appointed day and hour.

We have the honor to convey to Your Excellencies the assurance of our highest consideration.

CHANG IN HOON,
Holding the Rank of President of a Board,
Minister of the Tung-li-yamen and Junior
Vice-President of the Board of Revenue.

SHAO YU LIEN,
An Officer of the Button of the 1st Rank
and Acting Governor of Hunan,
Plenipotentiaries of His Majesty the
Emperor of China.

(TRANSLATION.)

MUTSUHITO, by the Grace of Heaven, Emperor of Japan and seated on the Throne occupied by the same Dynasty from time immemorial.

To all to whom these Presents shall come, Greeting!

With a view to the restoration of peace between Our Empire and that of China in order to maintain the peace of the Orient:

We, reposing special trust and confidence in Count Ito Hirobumi, Junii, Grand Cross of the Imperial Order of Paullownia, Our Minister President of State, and Viscount Mutsu Munemitsu, Junii, First Class of the Imperial Order of the Sacred Treasure, Our Minister of State for Foreign Affairs, and having full knowledge of their wisdom and ability, do hereby name them as Our Plenipotentiaries.

We have given to Our Plenipotentiaries Full Powers to meet and treat, either separately or conjointly, with the Plenipotentiaries of China, and to conclude and sign Preliminaries of Peace.

We shall examine all stipulations which Our said Plenipotentiaries may agree upon and, finding such stipulations proper and in good and due form, We shall ratify them.

In witness whereof, We have hereunto set Our signature and caused the Great Seal of the Empire to be affixed.

Done at Hiroshima, this thirty-first day of the first month of the twenty-eighth year of Meiji, corresponding to the two thousand five hundred and fifty-fifth year from the Coronation of the Emperor Jimmu.

Seal of the Empire.

(Sign Manual.)

(Countersigned) COUNT ITO HIROBUMI,
Minister President of State.

(As translated by the Japanese Government.)

By Decree We do appoint *(Chang In Hoon, holding the Rank of President of a Board, Minister of the Tsung-li-yamen and Junior Vice-President of the Board of Revenue, and Shao Yu Lien, an Officer of the Button of the First Rank, and Acting Governor of Hunan,)* as Our Plenipotentiaries to meet and negotiate the matter with the Plenipotentiaries appointed by Japan.

You will, however, telegraph to the Tsung-li-yamen for the purpose of obtaining Our commands by which you will abide.

The members of your mission are placed under your control.

You will carry out your mission in a faithful and diligent manner and will fulfil the trust We have reposed in you.

Respect this!

Seal of Imperial Command.

(The date.)

(TRANSLATION.)

MEMORANDUM.

His Imperial Majesty's Plenipotentiaries have the honor to announce that the Full Powers which they have just communicated to the Plenipotentiaries of His Majesty the Emperor of China, embody all the authority which His Majesty the Emperor of Japan has confided to them in connection with the negotiation and conclusion of peace.

In order to avoid as far as possible any future misunderstanding, the Japanese Plenipotentiaries desire reciprocally to be categorically informed in writing, whether the Full Powers which have been communicated to them by the Chinese Plenipotentiaries, but which they have not as yet examined, embody all the authority confided by His Majesty the Emperor of China to the Chinese Plenipotentiaries in connection with the negotiation and conclusion of peace.

Hiroshima,
The 1st day of the 2nd month of the 28th year of Meiji.

(English translation accompanied by the Chinese original.)

To the Plenipotentiaries of His Majesty the Emperor of Japan:

We have the honor to state that you handed to us on the 7th day of the 1st moon of the 21st year of Kuang-Su, your Commission from your Imperial Majesty, and at the same time a Memorandum in which you ask of us a written reply respecting our Full Powers.

We beg to state in reply that our Commissions, handed to you at the same time in exchange, embody Full Powers given by our Imperial Majesty for the negotiation and conclusion of peace, with authority to conclude articles to that end and to sign them. In order to insure the more prompt execution of the treaty we may agree upon, we shall wire the terms for Imperial sanction, and fix the date for signiture; after which the same shall be taken to China for examination by His Imperial Chinese Majesty, and being found proper and in good and due form, will be ratified.

8th day of the 1st moon of the 21st year of Kuang-Su.

Seal.

SPEECH ADDRESSED BY HIS EXCELLENCY COUNT ITO, TO THEIR EXCELLENCIES CHANG IN HOON AND SHAO YU LIEN, AT THE CONFERENCE OF THE 2ND FEBRUARY, 1895.

The measure which my colleague and myself find it necessary at this moment to adopt, is the logical and inevitable result of a situation for which we are in no wise responsible.

China has hitherto held herself almost entirely aloof from other Powers and while she has in some instances enjoyed the advantages accruing to her as a member of the family of nations, she has perhaps more frequently denied the responsibilities of that relation. She has pursued a policy of isolation and distrust and consequently her external relations have not been characterized by that frankness and good faith which are essential to good neighborhood.

Instances are not wanting in which Chinese Commissioners, after having formally agreed to international compacts, have refused to affix their seals and cases might be cited in which treaties solemnly concluded have been unceremoniously and without apparent reason, repudiated.

Those unfortunate occurrences find a sufficient explanation in the fact that China was not on those occasions seriously in earnest, but beyond that it might be said with truth that the officials who were designated to carry on negotiations had not been clothed with the necessary authority for the purpose.

It has from the first been the wish of Japan to avoid results which history teaches her are liable to be the outcome of negotiations with Chinese officials who are not clothed with full powers in the sense in which that term is usually understood. Consequently the Imperial Government made it a condition precedent to any peace negotiations, that the Chinese Plenipotentiaries should be furnished with full powers to conclude peace, and it was only upon receiving positive assurances from the Chinese Government that that condition precedent had been complied with and that the Chinese Plenipotentiaries were on their way to Japan, that His Majesty the Emperor of Japan conferred upon my colleague and myself full powers to conclude and sign Preliminaries of Peace, with the Plenipotentiaries of China.

That Your Excellencies' powers are, notwithstanding that assurance, fatally defective is to me a sure indication that the Government of China is not yet really solicitous for peace.

Criticism is nearly exhausted by a simple comparison of the two Instruments which were reciprocally exchanged at this board yesterday, but it is not out of place to point out that one fulfils the definition which is usually given among civilized States to the term Full Powers, while the other is destitute of nearly all those qualities which are regarded as essential to such powers; it even fails to indicate the subject upon which Your Excellencies are to negotiate; it does not authorize Your Excellencies to conclude or sign anything; it is silent on the subject of the subsequent Imperial ratification of Your Excellencies' Acts. In short it would seem that the authority which has been conferred upon Your Excellencies would be completely fulfilled by your reporting to your Government what my colleague and myself might have to say.

In this situation it would be impossible for us to continue negotiations.

It may be urged that usage has not been entirely ignored in this instance. I cannot admit the sufficiency of such an explanation. I disclaim any right to interfere with the purely domestic customs of China, but I deem it not only my right but my duty to insist that in international concerns affecting my own country, the peculiar methods of China shall yield to the superior rules of international intercourse.

The restoration of peace is a matter of the greatest importance. To bring about a re-establishment of amicable relations it is not only necessary that Treaties with that object in view should be signed, but it is imperative that the engagements should be fulfilled in good faith.

While Japan has found no reason to approach China on the subject of peace, she nevertheless feels bound in deference to that civilization which she represents, to listen to any *bona fide* overtures which China may advance, but she will decline to take part in the future in any fruitless negotiations or to become a party to a paper peace. The terms which Japan agrees to will be scrupulously observed by her and she will at the same time insist upon a like observance of the terms by China.

Whenever, therefore, China finds herself seriously and sincerely desirous of peace and will confide actual full powers to Chinese officials whose names and positions will serve as an assurance that the terms which they may agree to will be confirmed and carried out in good faith, Japan will be prepared to enter upon new negotiations.

(TRANSLATION.)

MEMORANDUM.

The Imperial Government repeatedly declared through the United States Representatives at Tokio and Peking, that the appointment of Plenipotentiaries with Full Powers to conclude peace was an indispensable pre-requisite to negotiations on the subject of peace.

His Imperial Majesty's Plenipotentiaries, however, find that the authorization which Their Excellencies the Plenipotentiaries of His Majesty the Emperor of China communicated to them on the 1st instant, is wholly inadequate for the purpose for which it is claimed it was issued. It lacks nearly all the essential attributes of Full Powers as usually understood.

The Imperial Government have not receded from the position which they announced to the Representatives of the United States that they had taken on the subject of Full Powers, and the Imperial Japanese Plenipotentiaries, having been entrusted by His Majesty the Emperor of Japan with actual, proper and complete Full Powers, cannot consent to treat with Plenipotentiaries of His Majesty the Emperor of China who are only authorized to discuss matters, to report to the Tsung-li-yamen, and to obtain subsequent commands of the Throne by which they are to be guided.

Under these circumstances it only remains for the Plenipotentiaries of His Majesty the Emperor of Japan, to declare the present negotiations at an end.

Hiroshima,
The 2nd day of the 2nd month of the 28th year of Meiji.

Enclosure with Mr. Dun's No. 227.

The Japan Daily Mail.

YOKOHAMA, FRIDAY, FEBRUARY 8, 1895.

THE PEACE CONFERENCE AT HIROSHIMA.

The following are official translations of the documents laid before the Imperial Diet by the Vice-Minister of State for Foreign Affairs on the 6th instant:—

(Translation.)

Viscount Mutsu Munemitsu, Junii, First Class of the Imperial Order of the Sacred Treasure, His Imperial Majesty's Minister of State for Foreign Affairs, has the honour to announce to Their Excellencies the Plenipotentiaries of His Majesty the Emperor of China, that His Majesty the Emperor of Japan has appointed His Excellency Count Ito Hirobumi, Junii, Grand Cross of the Imperial Order of Paullownia, His Imperial Majesty's Minister President of State, and the undersigned as His Plenipotentiaries to conclude with the duly authorized Plenipotentiaries of China, Preliminaries of Peace, and has confided to them Full Powers for that purpose.

(L. S.) Viscount MUTSU MUNEMITSU.
H.I.M.'s Minister of State for Foreign Affairs.

Hiroshima, the 31st day of the 1st month of the 28th year of *Meiji*.

(Translation.)

The undersigned, His Imperial Majesty's Plenipotentiaries, have the honour to acquaint Their Excellencies the Plenipotentiaries of His Majesty the Emperor of China, that the meeting of the Plenipotentiaries of the two Powers is appointed to take place at the Hiroshima Kencho, on the 1st day of the 2nd month of the 28th year of Meiji, at 11 o'clock a.m.

The undersigned will on that occasion be prepared to make with the Chinese Plenipotentiaries a reciprocal exchange of Full Powers.

Count ITO HIROBUMI,
Viscount MUTSU MUNEMITSU,
H.I.M.'s Plenipotentiaries.

Hiroshima, the 31st day of the 1st month of the 28th year of Meiji.

The 6th day of the 1st moon, the 21st year of Kwang-Su.

THEIR EXCELLENCIES, COUNT ITO AND VISCOUNT MUTSU, PLENIPOTENTIARIES OF HIS MAJESTY THE EMPEROR OF JAPAN.

We have the honour to inform Your Excellencies that in obedience to the command of His Majesty the Emperor of China we proceeded to Japan with the Imperial letter and arrived at Hiroshima on the 6th day of the 1st moon of the 21st year of Kuang-Su.

We beg to acknowledge the receipt of Your Excellencies' note to the effect that you have been especially appointed by His Majesty the Emperor of Japan to be Plenipotentiaries for the purpose of concluding with us Preliminaries of Peace, and to express high appreciation of the fact that Japan has not forgotten her old friendship.

We were about to request Your Excellencies to meet us by by asking you to appoint the time of such meeting when we had again the honour to receive your note communicating to us that the meeting will be opened at the Hiroshima Kencho at 11 o'clock on the 1st day of the 2nd month.

We beg in reply to say that we will, in compliance with your desire, attend the meeting at the appointed day and hour.

We have the honour to convey to Your Excellencies the assurance of our highest consideration.

CHANG IN HOON,
Holding the Rank of President of a Board, Minister of the Tsung-li Yamên, and Junior Vice-President of the Board of Revenue.

SHAO YU LIEN,
An Officer of the Button of the 1st Rank and Acting Governor of Hunan,
Plenipotentiaries of His Majesty the Emperor of China.

(Translation.)

MUTSUHITO, by the Grace of Heaven, Emperor of Japan and seated on the Throne occupied by the same Dynasty from time immemorial.

To all to whom these Presents shall come, Greeting!

With a view to the restoration of peace between Our Empire and that of China in order to maintain the peace of the Orient:

We, reposing special trust and confidence in Count Ito Hirobumi, Junii, Grand Cross of the Imperial Order of Paullownia, Our Minister President of State, and Viscount Mutsu Munemitsu, Junii, First Class of the Imperial Order of the Sacred Treasure, Our Minister of State for Foreign Affairs, and having full knowledge of their wisdom and ability, do hereby name them as Our Plenipotentiaries.

We have given to Our Plenipotentiaries Full Powers to meet and treat, either separately or conjointly, with the Plenipotentiaries of China, and to conclude and sign Preliminaries of Peace.

We shall examine all stipulations which Our said Plenipotentiaries may agree upon and, finding such stipulations proper and in good and due form, We shall ratify them.

In witness whereof, We have hereunto set Our signature and caused the Great Seal of the Empire to be affixed.

Done at Hiroshima, this thirty-first day of the month of the twenty eighth year of Meiji, corresponding to the two thousand five hundred and fifty-fifth year from the Coronation of the Emperor Jimmu.

(Seal of the Empire) (Sign Manual.)
(Countersigned) Count ITO HIROBUMI,
Minister President of State.

(Translation.)

MEMORANDUM.

His Imperial Majesty's Plenipotentiaries have the honour to announce that the Full Powers which they have just communicated to the Plenipotentiaries of His Majesty the Emperor of China, embody all the authority which His Majesty the Emperor of Japan has confided to them in connection with the negotiation and conclusion of peace.

In order to avoid as far as possible any future misunderstanding, the Japanese Plenipotentiaries desire reciprocally to be categorically informed in writing, whether the Full Powers which have been communicated to them by the Chinese Plenipotentiaries, but which they have not as yet examined, embody all the authority confided by His Majesty the Emperor of China to the Chinese Plenipotentiaries in connection with the negotiation and conclusion of peace.

Hiroshima, the 1st day of the 2nd month of the 28th year of Meiji.

(English translation accompanied by the Chinese original.)

TO THE PLENIPOTENTIARIES OF HIS MAJESTY THE EMPEROR OF JAPAN.

We have the honour to state that you handed to us on the 7th day of the 1st moon of the 21st year of Kuang-su, your Commission from your Imperial Majesty, and at the same time a Memorandum in which you ask of us a written reply respecting our Full Powers.

We beg to state in reply that our Commissions, handed to you at the same time in exchange, embody Full Powers given by our Imperial Majesty for the negotiation and conclusion of peace, with authority to conclude articles to that end and to sign them. In order to insure the more prompt execution of the treaty we may agree upon, we shall wire the terms for Imperial sanction, and fix the date for signature; after which the same shall be taken to China for examination by His Imperial Chinese Majesty, and being found proper and in good and due form, will be ratified.

8th day of the 1st moon of the 21st year of Kuang-su.

(As translated by the Japanese Government.)

By Decree We do appoint (Chang In Hoon, holding the Rank of President of a Board, Minister of the Tsung-li Yamên and Junior Vice-President of the Board of Revenue, and Shao Yu Lien, an Officer of the Button of the First Rank, and Acting Governor of Hunan), as Our Plenipotentiaries to meet and negotiate the matter with the Plenipotentiaries appointed by Japan.

You will, however, telegraph to the Tsung-li Yamên for the purpose of obtaining Our commands by which you will abide.

The members of your mission are placed under your control.

You will carry out your mission in a faithful and diligent manner and will fulfil the trust We have reposed in you.

Respect this!

Seal of Imperial Command. (The date.)

SPEECH ADDRESSED BY HIS EXCELLENCY COUNT ITO, TO THEIR EXCELLENCIES CHANG IN HOON AND SHAO YU LIEN, AT THE CONFERENCE OF THE 2ND FEBRUARY, 1895.

The measure which my colleague and myself find it necessary at this moment to adopt, is the logical and inevitable result of a situation for which we are in no wise responsible.

China has hitherto held herself almost entirely aloof from other Powers, and while she has in some instances enjoyed the advantages accruing to her as a member of the family of nations, she has perhaps more frequently denied the responsibilities of that relation. She has pursued a policy of isolation and distrust and consequently her external relations have not been characterized by that frankness and good faith which are essential to good neighbourhood.

Instances are not wanting in which Chinese Commissioners, after having formally agreed to international compacts, have refused to affix their seals, and cases might be cited in which treaties solemnly concluded have been unceremoniously and without apparent reason, repudiated.

Those unfortunate occurrences find a sufficient explanation in the fact that China was not on those occasions seriously in earnest, but beyond that it might be said with truth that the officials who were designated to carry on negotiations had not been clothed with the necessary authority for the purpose.

It has from the first been the wish of Japan to avoid results which history teaches her are liable to be the outcome of negotiations with Chinese officials who are not clothed with full powers in the sense in which that term is usually understood. Consequently the Imperial Government made it a condition precedent to any peace negotiations, that the Chinese Plenipotentiaries should be furnished with full powers to conclude peace, and it was only upon receiving positive assurance from the Chinese Government that that condition precedent had been complied with and that the Chinese Plenipotentiaries were on their way to Japan, that His Majesty the Emperor of Japan conferred upon my colleague and myself full powers to conclude and sign Preliminaries of Peace with the Plenipotentiaries of China.

That Your Excellencies' powers are, notwithstanding that assurance, fatally defective is to me a sure indication that the Government of China is not yet really solicitous for peace.

Criticism is nearly exhausted by a simple comparison of the two Instruments which were reciprocally exchanged at this board yesterday, but it is not out of place to point out that one fulfils the definition which is usually given among civilized States to the term Full Powers, while the other is destitute of nearly all those qualities which are regarded as essential to such powers; it even fails to indicate the subject upon which Your Excellencies are to negotiate; it does not authorize Your Excellencies to conclude or sign anything; it is silent on the subject of the subsequent Imperial ratification of Your Excellencies' Acts. In short, it would seem that the authority which has been conferred upon Your Excellencies would be completely fulfilled by your reporting to your Government what my colleague and myself might have to say.

In this situation it would be impossible for us to continue negotiations.

It may be urged that usage has not been entirely ignored in this instance. I cannot admit the sufficiency of such an explanation. I disclaim any right to interfere with the purely domestic customs of China, but I deem it not only my right but my duty to insist that in international concerns affecting my own country, the peculiar methods of China shall yield to the superior rules of international intercourse.

The restoration of peace is a matter of the greatest importance. To bring about a re-establishment of amicable relations it is not only necessary that Treaties with that object in view should be signed, but it is imperative that the engagements should be fulfilled in good faith.

While Japan has found no reason to approach China on the subject of peace, she nevertheless feels bound in deference to that civilization which she represents, to listen to any *bona fide* overtures which China may advance, but she will decline to take part in the future in any fruitless negotiations or to become a party to a paper peace. The terms which Japan agrees to will be scrupulously observed by her and she will at the same time insist upon a like observance of the terms by China.

Whenever, therefore, China finds herself seriously and sincerely desirous of peace and will confide actual full powers to Chinese officials whose names and positions will serve as an assurance that the terms which they may agree to will be confirmed and carried out in good faith, Japan will be prepared to enter upon new negotiations.

(Translation)

MEMORANDUM.

The Imperial Government repeatedly declared through the United States Representatives at Tokyo and Pekin, that the appointment of Plenipotentiaries with Full Powers to conclude peace was an indispensable pre-requisite to negotiations on the subject of peace.

His Imperial Majesty's Plenipotentiaries, however, find that the authorization which Their Excellencies the Plenipotentiaries of His Majesty the Emperor of China communicated to them on the 1st instant, is wholly inadequate for the purpose for which it is claimed it was issued. It lacks nearly all the essential attributes of Full Powers as usually understood.

The Imperial Government have not receded from the position which they announced to the Representatives of the United States that they had taken on the subject of Full Powers, and the Imperial Japanese Plenipotentiaries, having been entrusted by His Majesty the Emperor of Japan with actual, proper, and complete Full Powers, cannot consent to treat with Plenipotentiaries of His Majesty the Emperor of China who are only authorized to discuss matters, to report to the Tsung-li Yamên, and to obtain subsequent commands of the Throne by which they are to be guided.

Under these circumstances, it only remains for Plenipotentiaries of His Majesty the Emperor of the Japan, to declare the present negotiation at an end.

Hiroshima, the 2nd day of the 2nd month of the 28th year *Meiji*.

WR

2D ASSISTANT SECRETARY.
Ack. by Number and File.
MAR 19 1895

Secretary of State.
MAR 19 1895

No. 228.

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REC'D.
MAR 7 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, February 15, 1895.

DIPLOMATIC BUREAU
MAR 19 1895

Mr. Dun

to the Secretary of State.

Subject:
Readings of telegrams.

No. 228.

Legation of the United States,
Tokyo, Japan, February 15, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose herewith the readings of telegrams as follows:

1. Mr. Dun to the Secretary of State, February 13, 1895.
2. Mr. Denby to Mr. Dun, Feb. 5, 1895.
3. " " " " " 7, ".
4. " " " " " 7, ".
5. Mr. Dun to Mr. Denby, Feb. 8, 1895
6. " " " " " 9, ".

I.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Enclosures:

Readings of 6 telegrams as above.

Enclosure / with Mr. Dun's No. 228.

Reading of a telegram transmitted to the Secretary of State on February 13th, 1895.

"Tokio, February 13, 1895.

"Gresham, Washington.

"February thirteenth.

"Weihaiwei twelvth Admiral Ito reports Chinese "gunboat flying white ~~fuly~~ flag brought Admiral Ting's message "proposing surrender of ships, forts, arms, provided lives of "crews, soldiers, foreigners secured. Formal surrender being "arranged.

"Dun."

Enclosure 2 with Mr. Dun's No. 228 .

Reading of a cipher telegram received from the United States Minister, Peking, February 5th, 1895.

"Peking, February 5, 1895.

"American Minister, Tokio.

"February fifth.

"Chinese Government request me to telegraph "you to inform the Japanese Government that China proposes to "change letter of credence making it more full and explicit "and proposes that the two Chinese Ambassadors remain in "Nagasaki for the present.

"Denby. Seal."

Enclosure 3 with Mr. Dun's No. 228.

Reading of a telegram received from the United States Minister, Peking, February 7th, 1895.

"Peking, February 7, 1895.

"American Minister, Tokio.

February 7th.

"Procure Japan to let the Envoys stay at Nagasaki until new "letters of credence arranged. There is some mystery about "the matter that I cannot understand. I prepared letters "after approved forms and understood that they were given to "Chang. When you suggested doubts as to the sufficiency of "letters I procured from Yamen copies of letters given. They "had not given mine unfortunately but their own copy might " have been held good with a very slight change so I wired you "that I would not decide the question. It seems now that "other and totally different letters were given to Chang. In "fact two sets, one to the Emperor of Japan and one to Count "Ito. The latter I never saw. They are said to be worthless "but China will send satisfactory letters. Chang has evident- "ly delivered the wrong letters. I am about to send you a "long despatch from the Yamen.

"Denby."

Enclosure 4 with Mr. Dun's No. 228.

Reading of a telegram received from the United states Minister, Peking, February 7th, 1895.

"Peking, February 7, 1895.

"American Minister, Tokio,.

"February seventh. The Chinese Government requests me to "send the following telegram.: Yesterday the Yamen had the "honor to receive a telegram from Your Excellency which you "had received from Messrs. Chang and Shao, Chinese Plenipoten- "tiaries, wherein Japan objected to the letter of credence on "account of there being no authority expressed therein with "reference to concluding and signing a treaty of peace. Thence "it was a difficult matter for Japan to negotiate with them. "Messrs. Chang and Shao were therefore conveyed to Nagasaki. "With reference to the letter of credence given to the "Plenipotentiaries the words'Chuan Chuan'(full powers) were "considered quite sufficientfor the purpose of concluding a "treaty as well as signing it; that these words included all; "that there was no necessity of stating everything in detail. "As Japan has doubts as to the validity of the said letter of "credence, China is willing to change it, it being stipulated "that after the deliberations are over and the Plenipotentiar- ies of the two countries have signed the treaty negotiated, the same must wait the "Imperial consent before ratifications can take place and the "treaty become effective. All these particulars will be put "in the letter of credence. The changed letter of credence "will be sent to Messrs. Chang and Shao to be presented to the

Japanese

"Japanese authorities. As it will take some time to send the "letter of credence to Japan, would Your Excellency telegraph "Japan in the sense above indicated, giving full particulars, "As Messrs. Chang and Shao are in Nagasaki would Your Excell- "ency ask Japan to open negotiations with them and that there "is no need for them to return to Shanghai.

"Denby."

Enclosure 5 with Mr. Dun's No. 228.

reading of a cipher telegram transmitted to the United States Minister at Peking, February 8th, 1895.

"Tokio, February8, 1895.

"American Minister, Peking.

"February eighth.

"Your telegrams fifth and seventh received.

"Japanese Government reply as follows: Although the Japanese "Government would consent at any time again to open peace "negotiations if the Chinese Government should sincerely "desire peace and send a Plenipotentiary or Plenipotentiaries "of high rank and prestige and clothed with proper full powers "yet they cannot allow the present Envoys with whom the nego- "tiations once failed to remain in Japan waiting for instruct- "ions from their Government.

"Dun."

Enclosure 6 with Mr. Dun's No. 228.

Reading of a cipher telegram transmitted to the United States Minister at Peking, February 9th, 1895.

"Tokio, February 9, 1895.

"American Minister, Peking.

"February ninth.

"Japanese Minister for Foreign Affairs "requests you will inform the Chinese Government that Japan-"ese Government will postively not allow Chinese Plenipotenti-"ariesto remain in Japan. They must return to China at once. "Japanese Minister for Foreign Affairs has informed me there "seems to have been on the part of the Chinese Government a "misconception in regard to the kind of authority their "Plenipotentiaries should have. That as Chinese Plenipotenti-"aries cannot be granted audience by the Emperor of Japan "letters of credence are useless, but they must have full "powers or letters patent in due and proper form to negotiate "conclude and sign a preliminary treaty of peace.

"Dun."

2D ASSISTANT SECRETARY.
Ack by subject & file.
MAR 19 1895

Secretary of State.
MAR 19 1895

No. 229. Confidential.

Legation of the United States,
Tokyo, Japan, February 15, 1895.

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MAR 20 1895

Per 3.
21 Mch '95

Mr. Dun

to the Secretary of State.

Subject:

Failure of the late Peace Negotiations at Hiroshima.

No. 229. Confidential

Legation of the United States,

Tokyo, Japan, February 15, 1895.

Honorable W. Q. Gresham,

Secretary of State,

Washington, D. C.

Sir:-

In my despatch No. 228 of this date I had the honor to enclose the reading of telegrams which have passed between Minister Denby and myself since the failure of the late peace negotiations at Hiroshima. In my telegram of the 9th instant to Mr. Denby you will observe that the words "Japanese Government will

"will positively not allow Chinese
"Plenipotentiaries to remain in Japan.
"They must return to China at
"once.", are a reiteration in a
positive form of the message con-
veyed to Mr. Denby in my tel-
egram to him of the 6th instant.
This was done at the request of
Viscount Mutsu who, through
Mr. Hayashi, Vice Minister for
Foreign Affairs, informed me on
the 9th instant that he had
received information from the
Japanese authorities at Nagasaki
in attendance upon the Chinese
Plenipotentiaries that they, - the
Plenipotentiaries -, had received
telegraphic instructions from
their

their Government to remain at Nagasaki and await the receipt of new full powers to re-open negotiations for peace. Mr. Hayashi said that, as the Japanese Government postively would not consent to this arrangement, and to prevent the possibility of a misunderstanding, Viscount Mutsu requested me to send the message quoted above from my telegram of February 9th. Mr. Hayashi also informed me that Viscount Mutsu was convinced that there was a misconception on the part of the Chinese Government in regard to the kind of authority or

powers

powers their Plenipotentiaries
should have; that, as Japan
and China were at war, the
Emperor of Japan could not receive
the Envoys accredited to him
by the Emperor of China and
that, therefore, letters of credence
were useless, but that full
powers in due and proper form
to negotiate, conclude and sign
a preliminary treaty of peace
must be granted by China to
her Plenipotentiaries if peace
negociations were to be re-opened.
To make this perfectly clear to
the Chinese Government, the
message conveyed in the last
part of my telegram of the

9th

9th instant to Mr. Denby was sent at Viscount Mutsu's request.

Referring to Mr. Denby's telegram to me, dated February 7th, (see Enc. 3 with my No. 228), which begins with words "Procure "Japan to let the Envoys stay "at Nagasaki until new letters "of credence arranged", I did not deem it proper or expedient to act upon Mr. Denby's request further than to ascertain that the Japanese Government were positively adverse to the Plenipotentiaries' remaining.

In connection with the failure of the peace negotiations, I

was

was informed by Viscount Mutsu during an interview with him yesterday, that the first document presented by the Chinese Plenipotentiaries, at their first meeting with Count Ito and himself at Hiroshima, was their letter of credence to the Emperor of Japan from the Emperor of China, and an audience was requested by them for the purpose of presenting it. They were informed that, owing to the existence of war between the two countries, an audience could not be granted nor could the letter of credence be received. A copy of this document was, however,

however retained by the Japanese Plenipotentiaries. Viscount Mutsu informed me that the letter from the Emperor of China accredited the Chinese Plenipotentiaries to the Emperor of Japan in the terms usually employed by a sovereign in accrediting envoys to a friendly power and then stated that, as war unhappily existed between China and Japan, Messrs. Chang and Shao were appointed to negotiate with the Plenipotentiaries appointed by the Emperor of Japan for a settlement of the difficulties existing between the two countries; but there was

nothing

nothing in the wording of the letter of credence that could be construed to confer upon the Chinese Plenipotentiaries full powers to negotiate, conclude and sign a preliminary treaty of peace.

The Chinese Plenipotentiaries and suite, accompanied by the Hon. John W. Foster, sailed from Nagasaki for Shanghai on the 12th instant.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

2D ASSISTANT SECRETARY.
Ack. by Number and File.
MAR 8 1895

No. 230.

Legation of the United States,
Tōkyō, Japan, February 15, 1895.

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MAR 8 1895

Mr. Dun

To the Secretary of State.

Subject.

Copy telegram from Lieut O'Brien re Capture of Forts at Wei hai wei

No. 230. Legation of the United States

Tokyō, Japan, February 15, 1895.

Honorable W. Q. Gresham

Secretary of State,

Washington, D.C.

Sir:

I have the honor to enclose herewith for transmission to the Honorable the Secretary of War a translation of a telegraphic report in Japanese from Lieutenant O'Brien, military attaché of this Legation, dated Kozan China, February 6th 1895 and received by me on the 8th instant.

I have the honor to be, Sir,

Your obedient servant.

Edwin Dun

Enclosure. Copy of telegram.

Enclosure with Mr. Dun's No 230.

Translation of telegram in Japanese from Lieut O'Brien to Mr. Dun.

"Foreign Official Telegram

"Telegraphed from Fusan July 8th

"Sent from Port Arthur February 6th. 1895

To the United States Legation

"The Japanese forces on the 29th took all "the Eastern Forts at Weihaiwei. Killed "and wounded 142. All the Western "forts were taken without very great "resistance on the 2nd of February.

"All the forts on the island and the "men-of-war remain in the hands of "the Chinese. There are in the port 12 "Chinese war vessels and 14 torpedo "boat. The Japanese war vessels are "outside the port blockading it. Two "or three from time to time advance "firing upon the island forts from a "long distance. The Japanese military forces "are gradually advancing along the western main "road and are waiting for the operations "of the Navy. Telegram of January 17 "received yesterday. It will be difficult

to

"do as required by instruction. There are
"no postal facilities. This telegram is
"sent by the army Department. You
"will receive in due time advice
"by mail. No mail matter received
"later than January 8th

O'Brien

from

Kosan

2D ASSISTANT SECRETARY.
So informs Secy of Navy
aab
MAR 8 1895

No. 231.

Legation of the United States,

Tokyō, Japan. February 15. 1895.

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To Navy 9th Mch 95

Mr. Dun

To the Secretary of State

Subject.

Arrival of Commander Barber

Naval Attaché of this Legation.

No. 231. Legation of the United States

Tōkyō, Japan, February 15, 1895.

Honorable W. Q. Gresham,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to inform you that Commander Francis M. Barber, Naval Attaché of this Legation, arrived at Tōkyō on the 4th instant and reported to me for duty. On the 5th instant I notified H. I. J. His Minister for Foreign Affairs of Commander Barber's appointment and of his arrival at his post of duty.

I have the honor to be, Sir,

Your obedient servant

Edwin Dun

2D ASSISTANT SECRETARY.
Ack. by Number and File.
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Legation of the United States,
Tōkyō Japan. February 15, 1895

Mr. Dun

To the Secretary of State

Subject.

Surrender of Forts at Wei Hai Wei

No. 232.

Legation of the United States,
Tokyō, Japan, February 15, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D.C.

Sir:

Since the receipt of Admiral Ito's report on the 13th instant, which I had the honor to telegraph to you on the same date, to the effect that on the 12th instant Admiral Ting had offered to surrender the ships, forts and arms at Wei Hai Wei still in the possession of the Chinese, on condition that the lives of the crews, soldiers and foreigners in

the

the Chinese services be spared, and that a formal surrender was being arranged, no official report has been received in Tokyo from Wei-hai-wei.

The vernacular press publishes a telegram dated Hiroshima the 14th instant to the effect that from the 13th instant the business of taking over the Chinese ships, forts etc, commenced.

The telegram is not official, however, and therefore its accuracy cannot be vouched for.

I have the honor to be

Sir,

Your obedient servant.

Edwin Dun

DIPLOMATIC BUREAU
MAR 6 1895

No. 233.

Legation of the United States,
Tokyo, Japan, February 15, 1895.

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REC'D.
MAR 7 1895
DEPT. OF STATE

Mr. Dun
to the Secretary of State.

Subject:
Ruling of the Department determining the relative rank of the members of the Legation staff requested.

No. 233.

Legation of the United States,
Tokyo, Japan. February 15, 1895

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:-

In order that there may be on record, for reference, in this Legation an authoritative determination of the relative rank and precedence of the officers thereof, I have the honor to request that I may be furnished with the ruling of the Department prescribing the relative rank

and

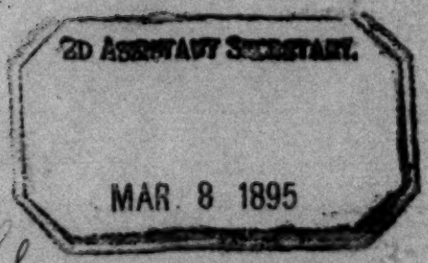
and precedence of the Secretaries and Military and Naval attachés of Legation.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun



Mr. Uhl.

The English rule is sensible and ought to be followed by us:

Naval attachés of higher rank than Post Captain, and Military attachés higher than Colonel rank next after the head of the Mission for the time being whatever his designation may be

But naval attachés of the rank of Post Captain or lower, and Military attachés of the rank of Colonel or lower have place and precedence next after the Secretary of Embassy or Legation.

As Foreign Naval attaché and Military attaché at Tokyô come next after the Secretary of Legation, and have precedence over the 2nd Secretary.

A.A.L.

2D ASSISTANT SECRETARY.
Duplicate enclosures to War Dept is required. Act accordingly.
MAR 21 1895
DIPLOMATIC BUREAU
MAR 22 1895

No. 234.

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Legation of the United States,
Tokyo, Japan, February 27, 1895.

I. War
2 mes. gr.
Acc'd.
2 mes. gr.

Mr. Dun

to the Secretary of State.

Subject:

Telegram from Lieut. O'Brien, Military Attaché, reporting the surrender of the Chinese naval and military forces at Wei-hai-wei.

No. 234.

Legation of the United States,
Tokyo, Japan. Febmary 27, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose herewith translation reading of a telegram in Japanese, received from Lieutenant M. J. O'Brien, Military Attaché of this Legation, in which he reports the surrender of the Chinese naval and military forces at Wei-hai-wei.

As

as you will please observe, Lieutenant O'Brien requests that this information be reported to the War Department.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Enclosure.

Telegram from Lieut. O'Brien in duplicate.

Enclosurewith Mr. Dun's No 234.

Reading of a telegram received from Lieut. M. J. O'Brien, Military Attaché of the U. S. Legation, Tokyo.

(Translation from Japanese.)

"Port Arthur, February 19, 1895, 10:50 A. M.

"Fusan, February 20, 1895, 12:05 P. M.

"American Minister, Tokio.

"The Chinese Army has "surrendered the forts on Liu-kung-tao, (island), together with the remainder of the fleet. The Japanese torpedo- "boats have sunk the 'ping-Yuen' and several armored "cruisers besides. Two of the Japanese torpedo-boats also "received injuries. Another Chinese cruiser was sunk by "shells. On the night of the sixth, 13 Chinese torpedo- "boats attempted to escape, but before reaching Chefoo "were either sunk or captured. According to the Chinese "reports, Admiral Ting and several officers have committed "suicide. The number of surrendered Chinese soldiers is "2,400. The intention is to keep the officers prisoners, "and to let the soldiers go outside the Japanese lines, "taking away their arms and furnishing them with two days "rations. These matters should be reported to the "American War Department by mail.

"Lieutenant O'Brien, Attaché of American Legation."

2D ASSISTANT SECRETARY.
Ack & file.
MAR 21 1895

No. 235.

Legation of the United States,
Tokyo, Japan, February 27, 1895.

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DIPLOMATIC BUREAU.
MAR 21 1895

Ackd 22d Mch 95

Mr. Dun

to the Secretary of State,

Subject:

Correspondence of Japanese and Chinese admirals arranging terms of the surrender of the Chinese forces at Wei-hai-wei.

No. 235.

Legation of the United States,
Tokyo, Japan, February 27, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:-

I have the honor to enclose herewith a clipping from the "Japan Mail" of the 22nd instant, giving the correspondence between Admiral Ito and Admiral Ting with reference to the surrender at Wei-hai-wei.

I have the honor to be,
Sir
Your obedient servant,
Edwin Dun

Enclosure as above.

Enc. with Mr. Denn's No. 235.

The Japan Daily Mail.

YOKOHAMA, FRIDAY, FEBRUARY 22, 1895.

WAR NEWS.

The *Nichi Nichi Shimbun* publishes the correspondence between Admiral Ting and Admiral Ito with reference to the surrender at Weihaiwei. The gist of the letters have already been made known to the public, but as the documents will occupy a place in history, we think it desirable to re-produce them in full:—

LETTER No. 1.—FROM ADMIRAL ITO TO ADMIRAL TING.

I have the honour to address this letter to your Excellency. The vicissitudes of the time have made us enemies. It is a misfortune. Yet it is our countries that are at war. There need be no hostility between individuals. The friendship that formerly existed between you and me is as warm as ever to-day. Let it not be supposed that in writing this letter I am actuated by any idle purpose of urging you to surrender. The actors in great affairs often err; the onlookers see the truth. Instead of calmly deliberating what course of procedure of his own part is best for his country, best for himself, a man sometimes allows himself to be swayed by the task in which he is actually engaged and takes a mistaken view. Is it not then the duty of his friends to advise him and turn his thoughts into the right channel? I address myself to you from motives of genuine friendship, and I pray you to appreciate them. What is the origin of the repeated disasters that have befallen the Chinese arms? There is, I think, little difficulty in discovering the true reason if one look for it calmly and intelligently. Your discernment has doubtless shown you the cause. It is not the fault of one man that has brought China into the position she now occupies. The blame rests with the errors of the Government that has long administered her affairs. She selects her servants by competitive examination, and literary attainments are the test. Thus it results that her officials, the repositories of administrative power, are all literati, and literature is honoured above everything. Her practice is this respect is as uniform to-day as it was a thousand years ago. It is not necessarily a defective system, nor does it necessarily produce a bad government. But a country can never preserve its independence in practice by such means. For you know well what troubles Japan had to encounter thirty years ago, what perils she had to surmount. She owes her preservation and her integrity to day wholly to the fact that she then broke away from the old and attached herself to the new. In the case of your country also that must be the cardinal course at present. If you adopt it, I venture to say that you are safe. If you reject it, you can not escape destruction. In a contest with Japan it has long been fated that you should witness results such as are now before you. Can it be the duty of faithful subjects of the empire, men really solicitous for its welfare, to swim idly with the tide now sweeping over the country by the decree of an ancient fate, making no effort to stem it? A country with a history running back thousands of years, and territories stretching tens of thousands of miles, the oldest empire in the world—can it be an easy task to accomplish for such a country a work of restoration, replacing its foundation on a permanently solid basis? A single pillar can not prevent the fall of a great edifice. Is there any latitude for choice between the impossible and the disadvantageous? To hand over squadron to the foe, to surrender a whole army to an enemy—these are mere bagatelles compared with the fate of a country. By whatever reputation a Japanese soldier possesses the eyes of the world, I vow that I believe your wisest course is to come to Japan and wait there until the fortunes of your country are again in the ascendant, and until the time arrives when your services will be again needed. Hear these words of your true friend. Nay I remind you that the annals of your country contain many names of men who have removed a stain from their names and lived to perform great deeds? MacMahon, of France, having surrendered and passed over into the enemy's country, came back after a time and assisted in reforming the French Administration, the French not only forgetting his disgrace but even elevating him to the post of President. Similarly Osman Pasha, after losing the fortifications at Plevna and being himself captured, came home to Turkey, where he rose to be Minister of War, and acquired a high reputation in connection with his military reforms. If you come to Japan, I can assure you of the good treatment you will receive and of the Emperor's favour. Not alone has His Majesty pardoned subjects of his own that raised the standard of rebellion, but has rewarded their talents by elevating them to positions of high trust, as in the case of Admiral Yenomoto, now a member of the Cabinet, and Otori Keisuke, a Councillor of State. There are many such instances. In the case of men of note that are not his Majesty's subjects, his magnanimous treatment of them would certainly be even more marked. The great question that you have now to determine is whether you will throw in your lot with a country that you see falling to ruin, and be involved in a result inevitable under unchanged administrative circumstances, or whether you will preserve the strength that remains to you and evolve another plan hereafter. It has generally been the habit of warriors of your country to use haughty and rough language in addressing their foes, but I address this letter to you from motives of pure friendship, and I entreat you to credit my sincerity. If happily, reading these words, you accept my counsel, I will with your permission address some further remarks to you on the subject of giving practical effect to the idea.

(Signed) ITO YUKO, &c.

LETTER No. 1.—FROM ADMIRAL TING TO ADMIRAL ITO.

I received the letter of suggestions addressed to me by the officer in command at Sasebo (evidently a mistake for the officer commanding the united squadrons) but did not reply because our countries were at war. Now, however, having fought resolutely, having had my ships sunk and my men decimated, I am minded to give up the contest, and to ask for a cessation of hostilities in order to save the lives of my people. I will surrender to Japan the ships of war now in Weihaiwei harbour, together with the Liukung Island forts and the armament, provided that my request be complied with, namely, that the lives of all persons connected with the army and navy, Chinese and foreign, be uninjured, and that they be allowed to return to their homes. If this be acceded to, the Commander-in-Chief of the British Naval Squadron will become guarantor. I submit this proposal, and shall be glad to have a speedy reply.

(Signed) TING ZHUCHANG, *Tituh* of the Peiyang Fleet.

(Dated) 18th day of the 1st month of the 22nd year of Kwangsu. (February 12th, 1895).

To His Excellency ITO, Commander-in Chief of the Squadron.

LETTER No. 2.—FROM ADMIRAL ITO TO ADMIRAL TING.

I have received your letter and noted its contents. To-morrow I am prepared to take over the ships, forts, and all the other material of war in your possession. With regard to the hour and other particulars, I shall be glad to consult with you when I receive a definite reply to this communication. When the transfer of everything has been concluded, I shall detail one of our ships of war to escort all the persons indicated in

your despatch to a place convenient to both parties. But I desire to offer an expression of opinion on one point. As I had the honour to advise in my recent communications, I venture to think that for the sake of your own security and in the future interests of your country, it would be best that you should come to Japan and remain there until this war is over. If you decide to adopt that course, I offer you the strongest assurance that you shall be treated with every consideration and shall receive the fullest protection. But if you prefer to return to your own country, your wishes shall be respected. With reference to the suggestion that the British Naval Commander-in-chief will act as guarantor of this arrangement, I think such a precaution wholly unnecessary. I place implicit reliance on your assurances as an officer. I trust that I shall receive a reply to this letter by 10 o'clock to morrow morning.

(Signed) Ito Yuko; Commander-in Chief of the Squadron.

On board H.I.J.M.S. *Matsushima*.

(Dated) February 12th.

To H.E. Ting Zuochang, Commander-in-Chief on the Peiyang Squadron.

Letter No. 2.—From Admiral Ting to Admiral Ito.

Your answer, just received, gives me much satisfaction on account of the lives of my men. I have also to express gratitude for the things you have sent me, but as the state of war existing between our countries makes it difficult for me to receive them, I beg to return them herewith, though I thank you for the thought. Your letter states that the arms, forts, and ships should be handed over to morrow, but that leaves us a very brief interval at our disposal. Some time is needed for the military and naval folk to exchange their uniforms for travelling garments, and it would be difficult to conform with the date named by you. I therefore beg that you will extend the period, and enter the harbour from the 22nd day of this month, according to the Chinese calendar (16th of February), appointing a day for taking over the Liukung forts, the armament, and the ships now remaining. I pledge my good faith in the matter.

(Signed) Ting Zhuchang.

18th day of the 1st month (Feb. 12th).

To H.E. Ito, Commander-in-Chief, &c.

Returned with the above three parcels of articles.

Letter No. 5.—From Admiral Ito to the Officer Commanding the Peiyang Squadron.

On receipt of Admiral Ting Zuochang's despatch, dated the 18th day of the 1st month, Chinese calender (12th of February) I learned verbally from its bearer that Admiral Ting had killed himself. The information has caused me profound pain. With regard to the transfer of the ships, forts, and armament, the late Admiral's request that the date be deferred until the 22nd of the 1st Chinese month (the 16th of February), is consented to on the following conditions, namely, that a responsible Chinese officer come to my flagship by 6 p.m. to-day (February 13th) for the purpose of entering into a definite agreement as to the handing over of the above ships, forts, and weapons of war, and the release of the Chinese and foreigners in Weihaiwei. In my last letter to the late Admiral Ting, I expressed a wish to meet him, on the following day, and consult about the hour of the transfer and other details. I now desire to settle these points in conference with some Chinese officer duly authorized, but I wish to state distinctly that the officer coming to my ship for the purpose must be a Chinese officer, not a foreigner. If he be a Chinese officer, he may count on being heartily welcomed.

(Signed) Ito Yuko Commander-in-Chief, &c.

(Dated) February 13th.

To H.E. the Officer in immediate Command of Peiyang Squadron.

The operation of taking over the ships, forts, and military weapons at Weihaiwei was completed on the 17th. We read in the vernacular press that the *Naniwa* and *Takachiho* were posted at the western entrance where they passed out, after due examination, 700 sailors and non combatants in 9 small steamers, all of which headed for Chefoo. The troops on Liukung island were carried over to the mainland, and there released, but Messrs. Howie and Wilde, who after giving their parole not to serve against Japan, were found at the forts, did not receive their freedom; they were carried prisoners on board the fleet. On the forenoon of the 17th, over twenty Japanese men-of-war, headed by the *Yamato*, together with a number of transports, entered Weihaiwei harbour from the West and anchored. On the Liukung forts and the 10 captured Chinese ships the Japanese flag was hoisted, and at 1 p.m. the crews of all the vessels, by preconcerted arrangement, gave three cheers for the Emperor. The *Kwang-chi* alone continued to fly the Chinese flag. She had on board the Chinese officers, who were soon to proceed in her to some convenient place. The *Chen-yuen* is to go first to Port Arthur, and the *Ping yuen*, *Tzi yuen*, and *Kwang ping* to Sasebo. The destination of the rest is not certain. The *Chen yuen* has many marks of Japanese shot—26 on her funnel alone. On deck she had more than a hundred sand-bags to keep off shells. Five of the enemy's ships are sunk in the harbour. Near the eastern entrance is the *Ting-yuen*, her funnel smashed completely, and only her deck and 2 masts above water. Of the *Wei yuen* her three masts alone can be seen. In front of her lies the *Lai yuen*, turned upside down, a portion of her keel being above water. In the middle of the harbour the two funnels and two masts of the *Tzi yuen* are visible above the water, but the gun-boat sunk can not be seen at all. The Japanese torpedo-boat that was lost lies close to the shore off Liukung Island. She is the celebrated No. 9. At 4 p.m. when the place was entirely in Japanese occupation, the ships of the First Flying Squadron raised their anchors, and left the fort. The crews of the rest set themselves to make repairs and preparations for some other big enterprise.

On the 11th instant, says the *Nichi Nichi*, during the bombardment of Liukung, the *Tenryu* was struck on her starboard bulwarks, and her second in command, Lieutenant Nakano, was knocked overboard and killed on the spot. Secretary Kono also received a wound in the eye, and four other men were wounded. The *Katsuragi* had 1 man killed and 6 wounded. The *Chiyoda* effected the capture of one of the torpedo-boats attempting to escape.

According to the *Shogyo Shimpo*, the number of Chinese sailors taken prisoner at Weihaiwei was 3,000 and that of land forces 3,000. They were all escorted beyond the lines and released. The same paper says that Ting, Liu, and Chang committed suicide by eating opium. The killed and wounded on the Chinese side aggregated over 500 during the bombardment, and 200 more were drowned when the *Lai yuen* sunk.

The *Nichi Nichi* says that the *Ting-yuen*, after being torpedoed by the Japanese, seems to have been still further blown up by the Chinese on the 12th instant, but the nature of her injuries is not yet clear.

DIPLOMATIC BUREAU
MAR 22 1895

2D ASSISTANT SECRETARY.
Ack. by Number and File.
MAR 21 1895

No. 236.

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REC'D.
MAR 21 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, February 27, 1895.

Mr. Dun

to the Secretary of State.

Subject:

Speech of Japanese Prime Minister on the proposed loan of Yen 3,000,000 to the Korean Government.

No. 236.

Legation of the United States,
Tokyo, Japan, February 27, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose herewith a clipping from the "Japan Mail" of the 25th instant, giving a translation of a speech on the subject of the proposed Korean loan delivered by Count Ito, Minister President of State, before the Lower House of the Imperial Diet on the 21st instant.

The

The bill as recommended by the Government authorizing a loan of Yen 3,000,000 to the Korean Government has been passed by the House of Representatives.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Enclosure:

Clipping from "Japan Mail" of 25th inst.

Enc. with Mr. Dun's No. 236.

The Japan Daily Mail.

YOKOHAMA, MONDAY, FEBRUARY 25, 1895.

THE PROPOSED KOREAN LOAN.

The following is a translation of the speech delivered by H.E. Count Ito, Minister President of State, in the House of Representatives, on the 21st inst., in connection with the proposed loan of 3,000,000 *yen* to the Korean Government.

GENTLEMEN:—I have presented a special Budget to the House. Its object is to lend money to Korea, which step is temporarily necessitated by the present financial difficulties of that country. As to the condition of Korea since last year, you are well aware that the Tonghak rebellion, which commenced early last summer, was followed by a failure of the harvest, and then came the war between Japan and China. Korea has ever since stood as our ally, and being still to-day in the midst of the war, our Government cannot remain unconcerned, and is therefore brought under the necessity of making a loan to Korea. You are also aware that even to-day there are still some remnants of the Tonghak rebels; but the King and the Government of Korea, acting upon the advice of our Government, are desirous to enforce reforms without delay. With regard to the Korean reforms, our Government proposed, in June last year, to the Chinese Government, that Japan and China should jointly carry them out, with the object of maintaining Korea's independence. But the refusal of China in this matter led at length to the present great war. Since then, our country has lent its aid to Korea to maintain her independence by our own power and out of pity for her isolation and weakness, and now she having fallen into her present difficulties, we cannot avoid the necessity of giving her temporary assistance. The Korean Government is planning to raise a loan sooner or later to meet the various national expenditures; and as soon as the plan is matured, we intend to require the repayment of our own loan. Such being the unavoidable circumstances, I desire that you will, after full discussion, give your speedy consent to the Budget. If there are questions to be put regarding details, it is the intention of the Government to send a delegate conversant with the matter to give explanations at the meeting of the Special Committee. Further, as I shortly leave the Capital and return to the Head-quarters, I do not think I shall have an opportunity of meeting you, Gentlemen, again this session. I also express my desire that a decision on the Supplementary Budget of War Expenditures will be quickly given.

In reply to Mr. Haseba Sumitaka, who desired to know the general policy of the Government with regard to the internal administration of Korea and the attitude of Foreign Powers toward that policy, the Minister President said:—

I do not think that the policy of our Government towards Korea has once changed since the opening of relations with that country. China regarding her as a tributary State, and we considering her an independent Power, our views have clashed from the outset. Though it need hardly be said that there are at times changes of circumstances more or less marked in one Power's relations with another, still I can say confidently that the general policy of our country towards Korea has not, up to to-day, undergone change. In proof of this I may state that while China, declaring the autonomy of Korea, generally evaded responsibility for that country's foreign relations, she attempted to interfere forcibly in her internal administration. Now there is no nation that has closer and more intimate relations with Korea than ours, and therefore Chinese interference became a constant obstruction to the friendly relations between the two countries. In matters of small importance we could not go on removing that obstruction perpetually. I do not know if you, gentlemen, have cause to condemn the policy of our Government since the despatch of our embassy to Korea in 1876 and the conclusion of a commercial treaty, but leaving that apart as an unimportant branch of the history of the past, and coming down to the events of the last year, we have at length clear evidence from China's making the Tonghak rebellion a pretext; from the internal condition of Korea before the outbreak of the rebellion, and from the action and behaviour of the officials despatched from China, that efforts were made to sever the relations between our country and Korea. There also exists conclusive evidence that on the King of Korea's appealing, or rather being compelled to appeal, to China for the despatch of troops, China intended by using the suppression of the Tonghak rebellion as a pretext to destroy the independence of Korea and make her in reality a tributary State. Thereupon, our country was obliged to wage war; for though I have always firmly believed that war is not only a matter of the greatest national importance, but also that a nation as such should not lightly wage it, yet if we had borne the matter in silence and remained passive to the known designs of China, our attitude would have affected not only our interests, but our honour as well, or rather the maintenance of our national dignity, and we were therefore compelled as a result to carry out the general policy to which we have consistently adhered since the conclusion of the treaty of 1876.—(Hear, hear.) But, as all the world knows, Korea is a truly poor and weak country. Though I do not think that the Kingdom is wanting in natural resources, still there exists as yet not the least means or method of exploiting such resources. And the nation also is content with inaction and temporizing methods, and does little more than pass the day without effort of any kind. Both high and low live in a state of indolence. I believe this arises from absolute ignorance of the present condition of the world; and as the necessity of making such a nation independent not only concerns Korea but has also a great bearing on our empire, which is separated from Korea by a narrow strip of water, I am confident that the maintenance of her independence has also a most important relation to the position of our Empire as a nation. And, therefore, though we had hoped, by effecting reforms in Korea, to maintain her independence in conjunction with China, our Government, through China's intention being, as I have already stated, different from ours, assumed alone this responsibility. As to the question, then, of the interference of other Powers, I firmly believe that there is no reason for any Power to object to our sympathy with the isolated and weak or to our extending aid to others to maintain their independence.—(Hear, hear.) To realise and preserve such independence in the case of Korea appears to be a most difficult undertaking, but we cannot escape from the duty imposed upon us. The necessity, as I stated at the outset, now causes us to lend to Korea 3,000,000 *yen*; and on enquiring into the reforms contemplated, I do not think that Korea can rise alone by a mere change of officials at Sōul, or by the suppression of the Tonghaks. Therefore, when the Korean rebellion is suppressed, the provincial Government must be reorganised, access to national resources must be provided for by the improvement of the means of transportation, and while the country may be unable to maintain a large army, still sufficient provision must be made to guarantee peace throughout the Kingdom. Before rapid progress can be made in these directions, the extent of Korea's national resources must be fully investigated. Though, of course, our principal object is to make the Koreans themselves maintain their own independence, it is necessary for us to give them aid for that purpose. I need not point out that there is naturally a distinction between principal and accessory.—(Hear, hear.) Though there may be

in the details of the reforms some matters not yet definitely determined, and others that are already determined, I do not think there is any necessity to make special mention of either. Our Government has not in the least mistaken this policy. Indeed, there are, I believe, reasons that effectively obviate any mistake in policy. Is the general outline I have given sufficient?

On Mr. Haseba's again rising and expressing his hope that the Minister President would remain firm in his determination that nothing can triumph over reason, Count Ito replied:—

I have already replied to the interrogation arising out of the Korean question. Being in a position of responsibility for the present great affair, I cannot offer any undertaking for the future. That must depend upon the August will of His gracious Majesty, as will be clear to you if you consider the facts. Again, there was a slight misapprehension in Mr. Haseba's speech just now. With regard to the maintenance by Japan of Korean independence and sympathy with her isolation and weakness, and the determination to assist her to the last in her efforts to assume a sovereign position, I did not say that no one would interfere, neither did I declare that no one would object. I said that I believed every one would agree. Again, what has happened up to to-day since the outbreak of affairs last year? In regard to diplomatic matters, such as the relations between different Powers, for instance, between Japan, and Korea, other Powers and Korea, Japan and China, or other Powers and China, these things constitute, in my opinion, quite a different question. But I make this one statement: I am here to-day as a representative of His Gracious Majesty's Government and am charged with important affairs affecting the well-being of this empire of Japan. Therefore I must be careful not only not to utter a single irresponsible word, but I must also not violate what should be inviolable. That much I must state to the House.—(Cheers)

Mr Adee

2D ASSISTANT SECRETARY

Ack. by Number and File.

aaa

APR 5 1895

Secretary of State. APR 4 1895

No. 237.

INDEX BUREAU REC'D. MAR 21 1895 DEPT. OF STATE

Legation of the United States,

Tokyo, Japan, February 28, 1895.

DIPLOMATIC BUREAU. APR 5 1895

Mr. Dun

to the Secretary of State.

Subject:

Another Document relating to the Peace Negotiations at Hiroshima.

No. 237.

Legation of the United States,
Tokyo, Japan, February 26, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:-

I have the honor to enclose herewith an editorial clipping from the "Japan Mail" of the 27th instant entitled "Another "Document Relating to the Peace "Negotiations."

The article, evidently inspired, gives the Japanese Government's version of the facts relating to several

several incidents in the late peace negotiations at Hiroshima which have been given prominence through the publication, by the Chinese Envoys on their return to Shanghai of an official letter addressed by them to the Japanese Commissioners who, it is claimed, approved it when the proceedings of the Conference were made public.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Enclosure:

Clippings from Japan Mail of 27th inst.

Enc. with Mr. Dun's No. 237.

The Japan Daily Mail.

YOKOHAMA, WEDNESDAY, FEBRUARY 27, 1895.

ANOTHER DOCUMENT RELATING TO THE PEACE NEGOTIATIONS.

THE Chinese Envoys recently accredited to Japan to sue for peace, have caused to be published in Shanghai a document purporting to have been omitted from the official communications that passed between the Plenipotentiaries of the two Powers in Hiroshima. Here is the document:—

TO THE PLENIPOTENTIARIES OF HIS MAJESTY THE EMPEROR OF JAPAN.

EXCELLENCIES,—In the conference held with Your Excellencies to day, after listening to the speech of His Excellency Count Ito, of which a copy was handed to us and a memorandum setting forth the reasons why negotiations for peace were terminated, Your Excellencies took leave of us, with the information that arrangement would be made for our early transportation from your country.

Before our departure we deem it our duty to our Government and to ourselves that we should leave with Your Excellencies the following statement. The commission which we handed you in our conference of yesterday, as we have fully explained, does confer upon us full powers to negotiate a treaty, and we have stated to Your Excellencies that we were prepared to sign with you a treaty of peace, if our negotiations should reach a satisfactory conclusion. This is confirmed in the most solemn and authoritative manner in the letter of our August Sovereign addressed to His Imperial Majesty the Emperor of Japan, which we exhibited to you in our first conference and which we solicited the privilege of delivering to His Imperial Majesty, but which request Your Excellencies declined to grant. A translation of that letter accompanies this communication.

We cannot agree with Your Excellencies that the instructions in our commission to wire for Imperial sanction the result of our negotiation in any way impairs or modifies our powers to sign a treaty. As we have already stated to you, its object was to insure the more prompt ratification and execution of the treaty when signed.

That our interpretation of our power is supported by our Government is proved by the fact that at the request of your Government the United States Minister at Peking received from the Tsung-li Yamên an assurrance that we were clothed with full powers to negotiate and sign a treaty of peace. Besides, we offered in our conference to-day to have any technical defects which you thought existed in our commission corrected by telegraph.

The commission which we submitted to you is similar in form to those with which His Imperial Majesty the Emperor of China has been accustomed to invest His Penipotentiaries when despatched to other lands for the negotiation of treaties, and so far as we are aware this is the first instance such credentials have been rejected.

Ours is a mission of peace and it does not become us at this time to discuss the unfriendly allusions contained in the speech respecting the Government of China. We need only express our deep regret that the earnest efforts which we have put forth to carry out the wishes of our August Sovereign for a speedy and satisfactory termination of the war which now distracts the two neighbouring nations have proven fruitless.

We cannot, however, close this communication without expressing our surprise at the manner in which we have been deprived of the customary privileges of Plenipotentiaries on a mission of peace. We have been informed by Count Ito that telegraphic communications in cipher with our Government would not be permitted, and we have been notified by an official of the Japanese Foreign Office that a cipher telegram addressed to us has been received but that it could not be delivered until we furnish the private code of our Government for its translation. Before our departure from Peking we were assured by the Minister of the United States in that capital that we would be permitted in accordance with international practice, to freely communicate in cipher with our Government by telegraph.

We conclude with the expression of our thanks for the trouble the Japanese Government has taken in bringing us to this city and for its hospitable entertainment while here, and with assurances to Your Excellencies of our distinguished consideration.

(Signed.) { CHANG. SHAO.

The above is undoubtedly a despatch of considerable importance. Had it, as alleged, formed a part of the official correspondence between the Plenipotentiaries of the two Powers, then the failure of the Japanese Government to include it among the documents submitted to the Imperial Diet and purporting to represent that correspondence, would have been emphatically an act of bad faith. It is not at all probable that any thoughtful person will be disposed to suspect the Japanese Government of such insincerity—clumsy insincerity we may add, for assuredly the despatch, though suppressed at this end, must very speedily have found its way to the public through Chinese channels. Still since the Chinese Envoys have caused the document to be published, our readers will doubtless be interested to learn the facts of the case.

The conference held at Hiroshima came definitely to an end on February 2nd. The Japanese Plenipotentiaries, having explained that the insufficiency of the powers carried by the Chinese, made it impossible to discuss terms of peace with them, then made this formal declaration:—

Under these circumstances, it only remains for the Plenipotentiaries of His Majesty the Emperor of Japan, to declare the present negotiation at an end.

Thus the negotiation was formally concluded, and all further interchange of communications became impossible. Nevertheless, on the 3rd of February—that is to say, on the day after official termination of the negotiations—the Chinese Envoys addressed to the Japanese Plenipontiaries the despatch reproduced above. It was immediately returned with an explanation that the negotiation having been publicly and finally closed owing to the incapacity of the Chinese Envoys, no communication could be received from

them. Obviously the Japanese Plenipotentiaries, having found that the Chinese Envoys were not properly accredited, and having, on that ground, refused to confer with them, were effectually precluded from receiving their despatches. Yet the Chinese Envoys have published the despatch thus returned to them; have pretended that it formed part of the official correspondence; have made no allusion whatever to the fact of its immediate return, and have inferentially accused the Japanese Government of repressing it, with intent to mislead the public. We presume that the only comment necessary is, these are Chinese methods.

Since, however, the despatch has appeared and been commented on after the invariable fashion of the local foreign press, that is to say, in a sense strongly unfavourable to Japan and palpably unjust, a few remarks on its contents may be advisable.

The first allegation contained in the despatch is that the commission carried by the Chinese Envoys "did confer on them full powers to negotiate a treaty." As to that, discussion is unnecessary. A copy of the commission has been published and not so much as one jurisconsult or diplomatist has been found to assert its sufficiency. It delegated to the Envoys the functions of mere telegraphic clerks, unauthorized to conclude any treaty. They allege, however, that such a form of commission has been habitually employed by the Emperor of CHINA, and that they knew of no instance in which it had been rejected as insufficient. Their ignorance of their own country's history is remarkable. In 1858 the Emperor of CHINA appointed a Commissioner to treat with Lord ELGIN. Here is the first paragraph of a despatch addressed by Lord ELGIN to the Commissioner, under date of May 6th, 1858:—

> The Undersigned has already apprised the Imperial Commissioner Tan that the letter addressed by him to the Undersigned on the 30th of April was entirely unsatisfactory. Holding, as he does, from Her Majesty the Queen of Great Britain Plenipotentiary Powers, he cannot consent to treat with a Representative of the Emperor of China who is only authorized "to enter on negotiations to report to the Throne, and to request instructions as to the course he is to pursue."

The above case is precisely parallel with that of the recent Envoys. The Commission said:—"You will, however, telegraph to the Tsung-li Yamên for the purpose of obtaining Our commands by which you will abide." Lord ELGIN, then, encountered precisely the same difficulty and dealt with it in precisely the same manner as did the Japanese Plenipotentiaries at Hiroshima.

It is not even correct to say, as the Chinese Envoys say, that their defective Commission was of the form customarily employed by Chinese EMPEROR. For in 1858 Lord ELGIN was able to inform Commissioner TAN that he "allowed him six days to procure from Pekin powers exactly similar to those granted by the late Emperor TAU KWANG to KIYING and ILIPOO, when they negotiated a treaty with a Sir H. POTTINGER in 1842." Fifty-three years ago the Chinese Government knew what full powers signified and were not unwilling to confer them. Thirty-seven years ago they failed to induce a British Plenipotentiary to negotiate with their Envoy because his commission was couched in language precisely similar to that of the Envoys recently sent to Hiroshima. Yet these Envoys now gravely affirm that such a commission as they carried was of the habitual form, conferred full powers, and had never been rejected on any previous occasion.

A further claim made by them is that they offered to have any technical defects in their Commission corrected by telegraph. Such offer was sufficient to stamp the farcical charcter of their procedure. No Government in the world would recognise telegraphic credentials under such circumstances, and no competent plenipotentiaries would seriously make such a proposal.

Yet another agument employed by them to bolster up their strange case is that, at the request of the Japanese Government, "the United States Minister in Pekin received from the Tsung-li Yamên an assurance that they were clothed with full powers to negotiate and sign a treaty of peace." The United States Minister in Pekin, if he received any such assurance, accepted it in the belief that the Envoy's Commission had been drafted in accordance with a proper form then in the possession of the Yamên. But no such form was used. Unfortunately for China, her reputation in these matters is very bad. Japan herself has had costly experience of her-ill faith in the matter of credentials. No Government is less qualified than that of Pekin to invite confidence by vicarious guarantees, or to ask for international trust on the strength of a telegram.

The despatch contains a complaint that the Envoys were not permitted to hand to the Emperor of JAPAN an autograph letter from their own SOVEREIGN. Such a complaint serves merely to betray their ignorance of international usages. Audience in granted by a SOVEREIGN to the representative of a friendly Power in times of peace. It is not granted to the envoys of a hostile Power in time of war.

In one point only the Chinese Envoys have apparent cause for complaint: the telegraph was closed to them for cipher messages. But that prohibition was limited to the period pending their recognition as duly accredited Plenipotentiaries. Had their credentials been found satisfactory, and had the negotiation commenced, they would have been free to employ the telegraph for the transmission of messages in any form. We ourselves think that the privilege might have been safely granted from the very outset. But the Japanese thought differently, and it must be remembered that before the Envoys reached Hiroshima, the signally inadequate nature of their credentials was known to the Japanese Government. That fact, supplemented by the dilatory method of their procedure, deprived their mission of any semblance of earnestness. Hence the refusal to let them send cipher messages over the wires until the *bonâ fides* of their mission was established.

Usual course
Ack.
MAR 21 1895

No. 238.

INDEX BUREAU
REC'D.
MAR 21 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, February 28, 1895.

DIPLOMATIC BUREAU.
MAR 21 1895

Acc.
22 Mar 95

To Treasury
22 Mar 95

Mr. Dun
to the Secretary of State.

Subject:
Japanese Budget for Fiscal Year of 1895.

No. 238.

Legation of the United States,
Tokyo, Japan, February 28, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose herewith the ordinary budget of Japan, for the fiscal year 1895; as passed by the Imperial Diet.

I have the honor to be,
Sir,
Your obedient servant,
Edwin Dun

Enclosure as above

The Japan Daily Mail.

YOKOHAMA, THURSDAY, JANUARY 24, 1895.

HOUSE OF REPRESENTATIVES.

The House met at 1.15 p.m., the Order of the Day being :—

The Budget for the 28th Fiscal Year of *Meiji*.

After a short report from the Chairman of the Petitions Committee,

Mr. Taketomi Tokitoshi, on behalf of the Budget Committee, reported that, after 33 sittings of the Sections of the Committee and 3 general meetings, it had been decided to recommend the passing of the Budget as presented by the Government, with reductions aggregating only a little over 598,000 *yen*. Moreover, these reductions included a sum of half a million *yen* in the appropriation for the Second Reserve. Consequently, the actual expenditures had been cut down by only some 98,000 *yen*. Probably some members might be dissatisfied with that result, but the Committee considered that, in view of the circumstances of the time, no other course was open. In answer to questions, he said that no promise had been given by the Government or sought by the Committee with reference to next year's Budget.

Mr. Ozaki Yukio spoke in support of the Committee's Report. It was the House's plain duty to render every possible assistance to the Government in the conduct of the great enterprise now devolving on the nation. On the other hand, the Government, in consideration of the attitude thus necessarily assumed by the House, was morally bound to make even possible reduction in the administrative expenditures. It appeared that the Government had done so, and the House, although one of its prime functions was to take care that the utmost economy was practised in spending the public funds, could not, on this occasion, withhold its consent. Did there appear in the Budget any expenditures of an unconstitutional or illegal nature the House could not choose but excise them. Fortunately, however, there were no such items, and the House was therefore in a position to avoid hampering the Administration at a crisis when official energies were all needed in another direction. Should it eventuate that any improper steps were taken in carrying out this Budget, the House would have it in its power to adopt corrective measures hereafter.

Mr. Takenouchi Seishi opposed the Report. He failed to see why reductions applied to the ordinary expenditures should embarrass the Government in the conduct of a war funds for which were provided by special measures. If the House passed the Budget in its present form, they would be stultifying themselves. He therefore moved that the Budget be re-entrusted to the Committee.

The House rejected the motion.

Mr. Inouye Kakugoro was astonished and delighted to find the representative of the *Kaishin-to* support the Budget. In point of fact no one had changed his financial views, but all were agreed that the time called for absolute harmony between the Legislature and the Executive.

Mr. Kawashima Jun supported the Budget as amended. He thought that great improvements had been effected in the management of the public finances since the Diet first sat. But he did not pretend to be by any means satisfied yet. Nevertheless, they were engaged in a war that seemed still far from its conclusion, and it was their duty to subserve all minor questions to the great need of the hour. He should, therefore, vote for the Budget, promising himself to urge large reforms on a future occasion.

The House then proceeded to vote upon the various Sections of the Budget.

The Sections of Foreign Affairs, Home Affairs, Finance, Army, and Navy were passed without discussion.

On coming to the Department of Justice,

Mr. Shigeoka Kungoro moved that the reduction proposed in the 9th part by the Committee be rejected and the Government's estimate restored.

The House agreed, and passed the whole section as presented by the Government.

The Sections of Education and Agriculture and Commerce were passed as amended by the Committee, but the Government appropriation was restored in part 6 of the Communications Section.

The Extraordinary Expenditures Budget was similarly passed, the only discussion that took place having reference to the Tanko Railway, the Government's subsidy, the price of coal, and other matters.

All the other correlated Budgets were passed without discussion.

The House rose at 4.50 p.m.

REVENUE.

CLASS A.—ORDINARY REVENUE.

1.—Taxes	70,902,341,563
1. Land Tax	38,353,927,040
2. Income Tax	1,287,535,647
3. Tax on Saké	17,386,918,879
4. Tax on Alcohol	4,110,580
5. Tax on Yeast	31,610,000
6. Tax on Tobacco	2,904,423,286
7. Tax on Deeds, Certificates, &c.	821,884,290
8. Tax on Soy	1,288,645,962
9. Tax on Confectionery	568,850,519
10. Export Duty on Liquors of Okinawa	15,009,020
11. Tax on Exchanges	378,893,976
12. Tax on National Banks	220,730,160
13. Tax on Drugs	677,140,877
14. Tax on Ships and Boats	264,544,971
15. Tax on Carriages & Waggons	771,400,000
16. Tax on Mining Business	178,581,889
17. Tax on Hokkaido Marine Products	304,615,307
18. Tax on the Sale of Horses and Cattle	72,142,000
19. Customs Duties	5,372,641,260
2.—Licences and Fees	2,540,381,499
3.—Receipts from Government Industries and Properties	12,290,207,381
1. Receipts from the "Official Gazette"	183,885,710
2. Miscellaneous Receipts from Customs Houses	126,989,188
3. Receipts from Government Industries	1,336,014
4. Receipts from Forests	10,005,959,490
5. Receipts from Posts and Telegraphs	7,718,353,534
6. Sale of Medicinal Opium	12,937,800
7. Receipts from Work of Convicts	195,670,714
8. Sales of Government Properties	217,278,770
9. Sales of Scales and Measures	1,093,948
10. Profit of the Mint	195,181,632
11. Profit of the Senju Woollen	

Factory	1.645.242
12. Profit of Railways	2,518.116.049
13. Profit of the Printing Bureau.	110,176.124
14. Profit of the Factory Manufacturing Telegraphic and Lighthouse Articles	1.583.166
4.—Miscellaneous Receipts	686.093.840
1. Penalties and Confiscations.	250,072.252
2. Indemnities	52.300.861
3. Miscellaneous Receipts	261,597.534
4. Payment in connexion with Aids to the Survivors of Government Officers	99,172.972
5. Payment in connexion with Pensions to School Directors and Licensed Teachers, and Aids to their Survivors	10,534.480
6. Receipts from Okinawa Ken.	11,770.160
7. Receipts from Ogasawara-jima	645.725
8. Interest on money deposited.	1,214,902.000
Total	87,633,926.283

EXTRAORDINARY REVENUE.

1.—Sales of Government Properties	613 524.559
1. Sales of Mines	253 928.000
2. Sales of Lands	42 777 966
3. Sales of Buildings	57.869.330
4. Sales of Articles	213 455.894
5. Sales of Live Stock	16,717.469
6. Sales of Articles' belonging to Poronai Colliery and of Poronai—Ikushumbeten Railway	28,779 900
2.—Miscellaneous Receipts	223,400.134
1. Receipts from Ships or Boats built or repaired on trust by the Navy	83.335.971
2. Money refunded	90,064.163
3. Miscellaneous Receipts	50,000.000
3.—Amount transferred from the Central Famine Relief Fund	185,300.000
4.—Aids to the Fund for building men-of-war	1,644.558.477
1. Imperial Grant	300,000.000
2. Donations	1,344.558.477
Total	2,666,783.170
Grand total of Revenue	90,300,709.454

EXPENDITURE.

ORDINARY EXPENDITURE.

1. Crown	3,000,000.000

DEPARTMENT OF FOREIGN AFFAIRS.

1.—The Department proper	99.149.939
1. Salaries and Allowances	62,715 000
2. Office Expenses	8,14[illegible].643
3. Repairs	3,600.000
4. Expenses connected with Casualties	10.000
5. Indemnities and Expenses of Law-suits	10.000
6. Travelling Expenses	1,268.000
7. Miscellaneous Salaries and Expenses	7,004.990
8. Telegrams	4.701.306
9. Reception Expenses	2,500.000
10. Salaries and Allowances for Foreign Employés	7,200.000
2.—Legations and Consulates	705.381.452
1. Salaries and Allowances	450.549.087
2. Office Expenses	47.324 020
3. Repairs	9.998.887
4. Law Court and Prison Expenses	1,124.7[illegible]3
5. Management of Settlements in Korea	25,368.289
6. Indemnities and Expenses of Law suits	10.000
7. Salaries and Allowances for Foreign Employés already engaged	7,591.100
8. Rents of Houses and Land already leased	20.610.118
9. Travelling Expenses	42,896,220
10. Miscellaneous Salaries and Expenses	15.746.666
11. Telegrams	4.813 053
12. Reception Expenses	10.527.740
13. Relief Fund for Japanese Abroad	67 267
14. Cemeteries	200 000
15. Students Abroad	3.251.000
16. Secret Service Fund	30,000.000
17. Salaries and Allowances for Foreign Employés	9.271.380
18. Rents of Houses and Land	25.331.872
Total	804,531.391

DEPARTMENT OF HOME AFFAIRS.

1.—The Shrine of Ise	27.113.000
2.—Expenses for Shrines	179,696 500
1. Expenses for Shrines	177,906.500
2. Expenses for regular Fêtes of State Shrines	1,790.000
3.—The Department proper	255.078 497
1. Salaries and Allowances	129,952.000
2. Office Expenses	22,049.136
3. Repairs	3,613.400
4. Expenses connected with Casualties	1.000
5. Indemnites and Expenses of Law-suits	8.000
6. Travelling Expenses	24,283.250
7. Miscellaneous Salaries and Expenses	36,230.342
8. Expenses for examining Medical Practitioners and Dispensers	10,440.669
9. Opium Expenses	8,000 000
10. Preservation of Old Shrines.	20,000.000
11. Salaries and allowances for Foreign Employés	500 000
4.—Sanitary Laboratory	24 893 169
1. Salaries and Allowances	15 403 000
2. Office Expenses	4.780 365
3. Repairs	637.662
4. Expenses connected with Casualties	1.000
5 Indemnities and Expenses for Law-suits	2.000
6. Travelling Expenses	306 000
7. Miscellaneous Salaries and Expenses	3.342.142
8. Expenses for manufacturing Stamps	421.000
5.— Office for Superintending Public Works	89.133 300
1. Salaries and allowances	49.143 000
2. Office Expenses	3.930.000
3. Repairs	687 000
4. Expenses connected with Casualties	1.000
5. Indemnities and Law suits	191,000
6. Salaries and Allowances for Foreign Employés already engaged	6,000 000
7. Travelling Expenses	21,880 000
8. Miscellaneous Salaries and Expenses	6,186 300
9. Surveying Expenses	1,115.000
6.—Penitentiaries	411,324.864
1. Salaries and Allowances	21,412 000
2. Office Expenses	7,172.543
3. Repairs	8.583.176
4. Expenses connected with Casualties	1 000
5. Prisoners' Expenses	241,255.772
6. Prisoners' Expenses in Fu and Ken	28,015.400
7. Indemnities and Law-suits	2.000
8. Travelling Expenses	9,648.965
9. Miscellaneous Salaries and Expenses	95.234.008
7.—Metropolitan Police Board	254.482.921
1. Salaries and Allowances	165 179.000
2. Office Expenses	15.138.815
3. Repairs	3,097 000
4. Rewards	23.000
5. Superintendence of Foreigners in Tokyo	3.463.992
6. Expenses connected with Casualties	4.000
7. Indemnities and Law-suits	201 000
8. Travelling Expenses	4,891.000
9. Miscellaneous Salaries and Expenses	49.485 114
11. Secret Service Fund.	13,000.000
8.—Police Expenses of the Seven	

Islands of Izu	3,369.059
1. Expenses connected with Casualties	1.000
2. Office Expenses.....	51 000
3. Repairs	21.000
4. Travelling Expenses.....	1,365 730
5. Miscellaneous Salaries and Expenses.....	1,930.326
9.—Hokkaido Administration Board	988,071 721
1. Salaries and Allowances	170.143 000
2. Office Expenses.....	58.260 333
3. Repairs	11,874 159
4. Rewards	440 711
5. Repairs of Foreign Settlement	121.000
6. Expenses connected with Casualties	94 656
7. Conscription Expenses..	843.635
8. Imperial Grant and Relief Fund	1,256 060
9. Wrecked Ships' Expenses ...	588 760
10. Expenses for Arrears	19.322
11. Expenses relating to the Transportation, &c., of Criminal Defendants and Criminals ...	12,041.610
12. Prisoners' Expenses	36,538 912
13. Indemnities and Law-suits...	585,496
14. Travelling Expenses.....	53,019.500
15. Miscellaneous Salaries and Expenses.....	184.638.912
16. Management of Sailors	162 408
17. New Enterprises Expenses ...	220 763 441
18. Prison Expenses	29,837 681
19. Public Works	115,155 280
20. Sanitary Expenses.....	10,410.921
21. Educational Expenses	34.6 9.607
22. Aids to Aborigines	5.017.968
23. Industrial Expenses	7,504 359
24. Subsidies.....	27,159.987
25. Hakodate Quarantine and Preservation of Hospital for Infectious Diseases	600.000
26. Secret Service Fund.....	6.344.000
10.—Hokkaido Penitentiaries	522.801 626
1. Salaries and Allowances	32 549 000
2. Office Expenses.....	12,299.133
3. Repairs	2,074.125
4. Expenses connected with Casualities.....	4.000
5. Prisoners' Expenses	301,942.977
6. Indemnities and Law-suits...	2.000
7. Travelling Expenses.....	13,653.140
8. Miscellaneous Salaries and Expenses	160,277 252
11.—Fu and Ken	4.637,161.757
1. Salaries and Allowances.....	2,290 929.000
2. Office Expenses.....	186,880 265
3. Rewards	13,724 760
4. Management and Repairs of Foreign Settlements.....	129.895.129
5. Preservation of Yokohama Public Garden	950.000
6. Repairs of Yokohama Explosive Warehouses	2,045.000
7. Expenses for Nagasaki Foreign Cemetary	311.005
8. Expenses connected with Casualties	586 000
9. Conscription Expenses.....	138,161.581
10. Imperial Grant and Relief Fund	146.579 000
11. Expenses for Wrecked Ships	1,120.499
12. Indemnities and Law-suits ...	9.525.000
13. Salaries and Allowances for Foreign Employés' already engaged	5.760.000
14. Joint Police Expenses	955 015 000
15. Travelling Expenses.....	450.492.000
16. Miscellaneous Salaries and Expenses	192.479.540
17. Quarantine Office, &c.	3.804.650
18. Public Works.....	31.651.328
19. Secret Service Fund.....	77.250.000
12.—Local Expenses of the Bonin Islands	9,208.550
1. Expenses connected with Casualties	1.000
2. Repairs	585.000
3. Police Expenses.....	2,645.150
4. Prison Expenses	262.400
5. Prisoners' Expenses	130.000
6. Wrecked Ships' Expenses ...	217.000
7. Public Works.....	1,271.000
8. Education Expenses	692.000
9. Industrial Expenses	3,295 000
10. Reserved Rice Fund.....	300.000
13.—Local Expenses of Okinawa Ken.....	161,363.005
1. Expenses connected with Casualties	1.000
2. Repairs	1,108 000
3. Police Expenses.....	37,239 780
4. Prison Expenses	11,132.515
5. Prisoners' Expenses	11,125.254
6. Wrecked Ships' Expenses ...	1.000
7. Public Works.....	6,176.380
8. Sanitary and Hospital Expenses	12.561.850
9. Education Expenses.....	22 530.600
10. Industrial Expenses	4.557 500
11. Office Expenses.....	12 342 930
12. Expenses of Office at Shuri...	8.043.800
13. Salaries for Native Officials..	33.459 396
14. Relief Fund	9.000
15. Expenses for Notifications, etc.	1,551.000
14.—Local Office Expenses of Tsushima	8,060.221
1. Expenses connected with Casualties	26 000
2. Office Expenses.....	615 066
3. Travelling Expenses.....	803.465
4. Miscellaneous Salaries and Expenses	6,615.690
15.—Local Police Expenses of Oshima	7,034.757
1. Expenses connected with Casualties	1.000
2. Office Expenses.....	364.329
3. Travelling Expenses.....	744.150
4. Miscellaneous Salaries and Expenses	5.925 278
Total	7,578,792.947

Department of Finance.

1.—The Department proper	246,790.910
1. Salaries and Allowances	151,983.000
2. Office Expenses.....	21,018 681
3. Repairs	3,610.953
4. Publication of Rates of Exchange for Customs Tariff ...	595.000
5. Expenses connected with Casualties	2.000
6. Expenses for preparing Government Bonds and Notes...	2,040.116
7. Indemnities and Law-suits ...	1,460.000
8. Travelling Expenses.....	13,247.000
9. Miscellaneous Salaries and Expenses	43,857.340
10. Expenses for preparing Notes intimating the Collection of Taxes, &c.	8,976.820
2.—National Debts	24,344,575.438
1. Redemption of Loans	6,040,083 673
2. Interest on Loans	16,016,683.026
3. Interest on Deposits.....	1,214,902.000
4. Charges incidental to the Redemption of Loans with Interest	72,906.739
5. Redemption of Subsidiary Notes	1,000,000.000
3.—Pension and Rewards.....	1,937 901.461
1. Annual Pensions connected with Decorations	126 731.000
2. Civil Service Pensions	668 954.993
3. Military Service Pensions ...	962,994 865
4. School masters' Pensions.....	19,106.681
5. Pensions for Okinawa Ken...	148,447.255
6. Prescribed Pensions to Foreigners	7,850.000
7. Pensions to Foreigners.....	3.816 667
4.—The Cabinet.....	182.434.275
1. Salaries and Allowances	92 575.000
2. Office Expenses.....	9.421.000
3. Repairs	2,299 700
4. Rewards	18,266.000
5. Expenses connected with Casualties	17.000
6. Salaries and Allowances for Foreign Employés already	

engaged	3,000.000
7. Travelling Expenses	889.600
8. Miscellaneous Salaries and Expenses	15,967.975
9. Secret Service Fund	40,000 000
5.—The Privy Council	103,804.230
1. Salaries and Allowances	95 234.000
2. Office Expenses	2.720 000
3. Repairs	1,116 900
4. Travelling Expenses	592 800
5. Miscellaneous Salaries and Expenses	4.140.530
6.—The House of Peers	237 868.000
1. Allowances for Members	180.471.000
2. Salaries and Allowances	18 640 000
3. Office Expenses	15,032 000
4. Repairs	741 000
5. Travelling Expenses	150.000
6. Miscellaneous Salaries and Expenses	22.734 003
7.—The House of Representatives.	318,812.000
1. Allowances for Members	259 400 000
2. Salaries and Allowances	18.315.000
3. Office Expenses	14,548 000
4. Repairs	741 000
5. Travelling Expenses	150.000
6. Miscellaneous Salaries and Expenses	25.158 000
8.—The Board of Audit	125 940 000
1. Salaries and Allowances	110,729 000
2. Office Expenses	3,376 000
3 Repairs	775 000
4. Travelling Expenses	3,500 000
5. Miscellaneous Salaries and Expenses	7.560 000
9.—Administrative Court	39 847 670
1. Salaries and Allowances	34 988 000
2. Office Expenses	1,566.000
3. Repairs	445 000
4. Travelling Expenses	371.000
5. Miscellaneous Salaries and Expenses	2,477.670
10.—*Official Gazette* Bureau	186,218 080
1. Salaries and Allowances	12,062.000
2. Official Expenses	2,955 000
3. Repairs	266 400
4. Travelling Expenses	136.800
5. Miscellaneous Salaries and Expenses	6,466 880
6. Printing Expenses	164 331.000
11.—Customs Houses	196.738 000
1. Salaries and Allowances	94.607 000
2. Office Expenses	17.944.000
3. Repairs	17,075 000
4. Purchase of Goods dutiable ad valorem	210.000
5. Expenses connected with Casualties	8 000
6. Indemnities and Law suits	332 000
7. Travelling Expenses	4,451.000
8. Miscellaneous Salaries and Expenses	61,929.000
9. Rewards for Informants against Smuggling	182.000
12.—Expenses of Collecting Domestic Taxes	1,651,713.054
1. Salaries and Allowances	760,609.000
2. Office Expenses	120,433.982
3. Repairs	889 000
4. Income Tax Investigations	34,276 910
5. Moneys handed to Shi, Cho, and Son	164,767.254
6. Expenses in connection with Arrears of Taxes, Payments, and Violations of Regulations	18,519.000
7. Expenses of Stamps and Licenses	116,661.842
8. Indemnities and Law-suits	10.990
9. Travelling Expenses	231,705 740
10. Miscellaneous Salaries and Expenses	190,001.001
11. Management of dutiable Goods in Okinawa	13,838 335
13.—Civil Service Examination Expenses	4,750.104
1. Official Expenses	964.764
2. Repairs	50,000
3. Miscellaneous Salaries and Expenses	3.735.340
14.—Cost of dealing with Currency	404,279.000
1. Expenses of exchanging defaced Notes and Coins	1,807.000
2. Money paid to the Nippon Ginko	400,000.000
3. Miscellaneous Expenses in dealing with Notes and Coins	2,472.000
15.—Fund for Miscellaneous Repayments and for Supplying Deficits	166 950 000
1. Miscellaneous Repayments	159 447.000
2. Deficits made good	7,503.000
16.—Reserve Fund of the Treasury	2,500,000 000
1. The First Reserve	1,000 000.000
2. The Second Reserve	1,500 000 000
Total	32,648,122.222

Department of War.

1.—The Department proper	172,600 967
1. Salaries and Allowances	116 443 800
2. Office Expenses	19.579 954
3. Repairs	1.011 854
4. Travelling Expenses	12,893 020
5. Miscellaneous Salaries and Expenses	11,214.239
6. Miscellaneous Allowances	10,512.000
7. Clothing	526 100
8. Horse Expenses	420.000
2.—Military Expenses	12,271,774 280
1. Salaries and Allowances	3,992,083 346
2. Miscellaneous Allowances	490,606 610
3. Students abroad	57,105 082
4. Provisions	2.210.480 795
5. Clothing	1.668,327 080
6. Arms and Ammunition	1,062.714 561
7. Horses	812.838.877
8. Reviews and Exercises	527,180 503
9. Medical Attendance	104 694 404
10. Office Expenses	222,252 635
11. Barrack Necessaries	280 324 716
12. Repairs	191,875.277
13. Expenses connected with Casualties	1,499.244
14. Allowances to Retired Soldiers	70.000
15. Prisoners' Expenses	25,108 796
16. Indemnities and Law suits	170 000
17. Travelling Expenses	291,028.455
18. Miscellaneous Salaries and Expenses	266,648 428
19. Military Maps	26,206.471
20. Expenses in Connexion with Imperial Processions	1,215.000
21. Secret Service Fund	32,000.000
22. Salaries and Allowances for Foreign Employés	7,344.000
3.—Gendarmerie	303.527 923
1. Salaries and Allowances	173,466 720
2. Miscellaneous Allowance	23.091.600
3. Clothing	27.771.505
4. Arms and Ammunition	5.384 345
5. Horses	10,022.341
6. Office Expenses	15.445.568
7. Repairs	2,673 380
8. Expenses connected with Casualties	40 000
9. Prisoners' Expenses	993 800
10. Indemnities and Law-suits	6.000
11. Travelling Expenses	9.296.955
12. Miscellaneous Salaries and Expenses	26,095 731
13. Secret Service Fund	9 240 000
4.—Colonial Troops	496,268.267
1. Salaries and Allowances	101,753 308
2. Miscellaneous Allowances	9.692 534
3. Provisions	222.685.800
4. Clothing	30.827.663
5. Arms and Ammunition	15.163.839
6. Horses	6.090 420
7. Reviews and Exercises	14 501.890
8. Medical Attendance	6.966.042
9. Office Expenses	6.927.492
10. Barrack Necessaries	7.889 896
11. Repairs	2,800.000
12. Expenses connected with Casualties	50.000
13. Prisoners' Expenses	955.736

14. Indemnities and Law-suits ...	10 000
15. Travelling Expenses.....	12,952.980
16. Miscelleneous Salaries and Expenses	13,090.250
17. Emigration Expenses	44,010.642
5.—Donations to the Yasukuni Shrine.....	7,550.000
Total	13.251,721.459

Department of the Navy.

1.—The Department proper	96,466.713
1. Salaries and Allowances	68.974.800
2. Office Expenses	10,625.573
3. Repairs	720.000
4. Expenses in connection with Casualties	10.000
5. Indemnities and Law-suits ...	20.000
6. Travelling Expenses	2,439 490
7. Miscellaneous Salaries and Expenses	13,676.850
2.—Naval Expenses.....	5.523,095.214
1. Salaries and Allowances	2,153.111 310
2. Miscellaneous Allowances ...	27,016 740
3. Students Abroad	33.825.229
4. Salaries and Allowances for Foreign Employés already engaged	2,400.000
5. Provisions	592,005 309
6. Clothing	216 666.879
7. Arms and Ammunition	773,844 247
8. Ship Building and Repairs ...	548,158.160
9. Reviews and Exercises.....	30.000.000
10. Medical Expenses.....	16.860.369
11. Office Expenses.....	139,859.343
12. Expenses connected with Naval Stations	54.593.340
13 Necessaries for Men of-war...	460,230.947
14. Repairs	43,851.024
15. Expenses connected with Casualties	224.000
16. Aids to Survivors	85.730 871
17. Prisoners' Expenses.....	69,980.842
18. Indemnities and Law-suits ...	114.250
19. Rents of Houses and Land...	325 835
20. Travelling Expenses.....	114,154.657
21. Miscellaneous Salaries and Expenses	134.222.882
22. Hydrographical Expenses ...	53.890.595
23 Secret Service Fund.....	10,000.000
24. Salaries and Allowances for Foreign Employés already engaged	4,200.000
25 Watch-tower Expenses	17,810.690
Total	5.619.561.927

Department of Justice.

1.—The Department proper	94,689.269
1. Salaries and Allowances	55.378 278
2. Office Expenses.....	9,908.563
3. Repairs	1,300.000
4. Expenses connected with Casualties	7.000
5. Indemnities and Law-suits ...	55.000
6. Salaries and Allowances for Foreigners in Service	14,520,000
7. Travelling Expenses.....	2,500.000
8. Miscellaneous Salaries and Expenses	9.558.028
9. Judges, Procurators, and Barristers' Examinations ...	1,462.400
2.—Courts of Law	3.321 965.419
1. Salaries and Allowances	2,195.296.365
2. Office Expenses.....	326.317.549
3. Repairs	42,225.373
4. Expenses connected with Casualties	26.750
5. Expenses connected with giving Judgements.....	144.185 783
6. Registration of Papers and Notification Expenses	41.445.896
7. Registration Office Expenses in District and Village Offices	4.314.000
8. Indemnities and Law-suits ...	846.999
9. Travelling Expenses.....	73.313 350
10. Miscellaneous Salaries and Expenses	489.554 569
11. Secret Service Fund.....	4 440 000
Total	3.416,654.688

Department of Education.

1.—The Department proper	120,855 767
1. Salaries and Allowances	61,769 166
2. Office Expenses	6.730 948
3. Repairs	2,400.000
4. Expenses connected with Casualties	2,340
5. Indemnities and Law suits...	7,000
6. Travelling Expenses.....	4.309 140
7. Miscellaneous Salaries and Expenses	12,051.190
8. The Gakushi Kai-in Annuities	1,500 000
9. Students' Expenses	33.190.331
10. International Surveying Association Expenses	695.652
2.—Earthquake Investigation Society	15.548 345
1. Salaries and Allowances.....	762 000
2. Repairs	82,770 780
3. Office Expenses.....	784.880
4. Expenses connected with Casulties.....	1.000
5. Indemnities and Law-suits ...	2.000
6. Travelling Expenses.....	2,000.000
7. Miscellaneous Salaries and Expenses	3.727.685
3.—Central Observatory.....	16,926 059
1. Salaries and Allowances	7.055.000
2. Office Expenses.....	5.777 509
3. Repairs	276.500
4. Expenses connected with Casualties	1.000
5. Indemnities and Law-suits ...	2.000
6. Travelling Expenses	510.150
7. Miscellaneous Salaries and Expenses	3.303 900
4.—Schools and Libraries	815,144.139
1. Imperial University	405 910 041
2. Higher Normal School..	44.833.992
3. Higher Normal School for Women	24.247.078
4. Higher Commercial School...	25.677.686
5. First Higher School	72.522 319
6. Second Higher School	36,236.137
7. Third Higher School	55 113.756
8. Fourth Higher School	35.653.077
9. Fifth Higher School.....	39.581.741
10. Sapporo Agricultural School.	19.421 399
11. Tokyo Technical School	27.831.376
12. Tokyo Fine Arts School	19.245 830
13. Tokyo Deaf and Dumb School	974.217
14. Tokyo Library	7.895.490
5.—Salaries for Directors of Local Normal Schools.....	35.970.000
6.—Aids to Technical Education ..	150,000.000
1. Aids to Technical Education.	135,000.000
2. Expenses for Training Technical Teachers	15.000.000
Total	1,154.444 310

Department of Agriculture and Commerce.

1.—The Department proper.....	232.106.250
1. Salaries and Allowances	148.577.000
2. Office Expenses.....	23.739.375
3. Repairs	2,176.000
4. Expenses for International Weights and Measures	2,079.010
5. Expenses connected with Casualties.....	55.000
6. Indemnities and Law-suits ...	120.000
7. Travelling Expenses.....	14.651.720
8. Miscellaneous Salaries and Expenses.....	18,198.745
9. Expenses connected with Standard Weights and Measures	6,781.800
10. Silk and Tea Experiment Expenses	3.318.000
11. Geological Survey and Map Making	12,409 600
2.—Forestry Office	558.342 569
1. Salaries and Allowances	251.392.000
2. Office Expenses.....	48.130 513
3. Repairs	2,845.000
4. Expenses connected with Casualties	100.000
5. Indemnities and Law-suits ...	1,600.000

6. Travelling Expenses.....	72,923.700
7. Miscellaneous Salaries and Expenses	8,699.450
8. Forests and Management of Forest Products	172,581.896
3.—Offices for Superintending Mining	56,960 600
1. Salaries and Allowances	31,380,000
2. Office Expenses.....	9,267.000
3. Repairs	600.000
4. Expenses connected with Casualties	10.000
5. Indemnities and Law-suits...	100.000
6. Travelling Expenses	9,678.000
7. Miscellaneous Salaries and Expenses	5.925 600
4.—Agricultural Experimental Farm	36,178.828
1. Salaries and Allowances	16,380.000
2. Office Expenses.....	603.410
3. Repairs	500.000
4. Expenses connected with Casualties	10.000
5. Indemnities and Law-suits...	5.000
6. Travelling Expenses.....	2,948.610
7. Miscellaneous Salaries and Expenses	1,861.250
8. Experimental Expenses	13,870.558
5.—Marine Products' Investigation Office	33,920.000
1. Salaries and Allowances.....	4.980.000
2. Office Expenses.....	457.900
3. Repairs	100.000
4. Expenses connected with Casualties	5.000
5. Indemnities and Law-suits ...	5.000
6. Travelling Expenses.....	2,685.000
7. Miscellaneous Salaries and Expenses	13,627.100
8. Marine Products' Investigation Expenses.....	3,140.000
9. Fishing Grounds' Investigation	8,920.000
Total	917,508.247

DEPARTMENT OF COMMUNICATIONS.

1.—The Department proper	191,924.831
1. Salaries and Allowances	117,222.278
2. Office Expenses	15,968 764
3. Repairs.....	3,662.800
4. Expenses connected with Casualties	52.000
5. Indemnities and Law-suits ...	10.000
6. Salaries for Foreigners already in Service	4,560.000
7. Travelling Expenses.....	18,806.351
8. Miscellaneous Salaries and Expenses.....	31,642.608
2.—Communication Expenses	5,950,666 715
1. Salaries and Allowances	992.846 778
2. Office Expenses	110,106.054
3. Repairs	15.628.480
4. International Post and Telegraph Union Expenses	2,438.323
5. Expenses connected with Casualties	598.697
6. Communication Business Expenses	3,995,668 462
7. Indemnities and Law-suits ...	262.401
8. Money to be refunded	571.439 010
9. Travelling Expenses.....	100,318.800
10. Miscellaneous Salaries and Expenses	141,359 710
3.—Expenses for Nautical Signals...	149 554 134
1. Salaries and Allowances	149 554 134
2. Office Expenses	1,949 500
3. Repairs	630.000
4. Expenses connected with Casualties	465.700
5. Nautical Signal Expenses ...	57,496 754
6. Indemnities and Law-suits ...	5.000
7. Travelling Expenses	4.910.500
8. Miscellaneous Salaries and Expenses	20,930 513
4.—Mariners' Expenses.....	30.268 763
1. Salaries and Allowances.....	21,896 944
2. Office Expenses	1,992.400
3. Repairs	385.200
4. Expenses connected with Casualities.....	10.000
5. Indemnities and Law suits...	3 000
6. Travelling Expenses.....	303.675
7. Miscellaneous Salaries and Expenses	2,944 469
5.—School of Navigation	32,008 975
1. Salaries and Allowances.....	10,244 000
2. Office Expenses	4,464.660
3. Repairs	531.280
4. Expenses connected with Casualties	6 000
5. Indemnities and Law-suits...	3.000
6. Travelling Expenses.....	580.000
7. Miscellaneous Salaries and Expenses	3,583.967
8. Students' Expenses	12,596.068
6.—Tokyo Post and Telegraph School	18.571.449
1. Salaries and Allowances	8,028.000
2. Official Expenses	4,072 051
3. Repairs	500.000
4. Expenses connected with Casualties	5.000
5. Indemnities and Law-suits ...	3.000
6. Travelling Expenses.....	158.380
7. Miscellaneous Salaries and Expenses	3.344.918
8. Students' Expenses	2.460.100
Total	6,372,994 867
Grand Total	74,764,332.058

EXTRAORDINARY EXPENDITURES.

DEPARTMENT OF FOREIGN AFFAIRS.

1.—Construction and Repairs	36,229.006
1. Construction of Japanese Consulate Söul.....	31.946.413
2. Repairs	4.282.593

DEPARTMENT OF HOME AFFAIRS.

1.—Subsidies.....	282,083.148
1. Aids to Navigation to Sakijima	5,000.000
2. Aids to Mombetsu Sugar Refinery	2,722.148
3. Aids to Hokkaido Colliery and Railway Company	244.461.000
4. Aids to Navigation to Okinawa Island	700.000
5. Aids to Infectious Diseases Laboratory.....	15,000,000
6. Aids to Navigation to Hokkaido	2,000.000
7. Aids to Navigation to Ogasawara-jima	6,200.000
8. Aids to Navigation to Oshima Islands	6,000 000
2.—Public Works Subsidies	219,702 837
1. Aids to Tokyo Water Works	150,000.000
2. Aids to Osaka Water Works	50,000.000
3. Aids to Dredging Expenses of Osaka Harbour	13,634.000
4. Aids to the Construction of Road between Kumamoto and Fukuoka Prefectures	6,068.837
3.—Public Works Expenses	844.056 372
1. Salaries and Allowances	44,618 000
2. Office Expenses.....	6,038.864
3. Expenses connected with Casualties	119.000
4. Travelling Expenses.....	29,640.480
5. Miscellaneous Salaries and Expenses	22,799.780
6. Construction and Repairs ...	821.500
7. Investigation Expenses	32,275 552
8. Tonegawa Control Works Expenses	140,000.000
9. Kitakamigawa Control Works Expenses	40,000.000
10. Mogamigawa Control Works Expenses	20,000.000
11. Shinanogawa Control Works Expenses	173,000.000
12. Kisogawa Control Works Expenses	285,663.196
13. Ogawa Control Works Expenses.....	400.000
14. Abukumagawa Control Works	

Expenses	400.000
15. Aganogawa Control Works Expenses	400.000
16. Yoshinogawa Control Works Expenses	400.000
17. Shogawa Control Works Expenses	400.000
18. Yodogawa Re-construction Works	30,000.000
19. Fujikawa Re-construction Works	6,880.000
20. Tenryugawa Re-construction Works	10,200.000
4.—Fu and Ken	13,619.112
5.—Yokohama Harbour Re-construction Works	144,122.957
1. Salaries and Allowances	13,548.000
2. Office Expenses	1,237.327
3. Expenses connected with Casualties	247.600
4. Indemnities and Law-suits	268.000
5. Travelling Expenses	1,089.360
6. Miscellaneous Salaries and Expenses	26,886.343
7. Repairs	1,040.000
8. Reconstruction Works Expenses	99,869.027
6.—Construction Expenses of Offices and Houses of the Diet	25,265.644
1. Salaries and Allowances	12,309.000
2. Office Expenses	794.150
3. Expenses connected with Casualties	40.000
4. Indemnities and Law-suits	2.000
5. Salaries for Foreigners	4,800,000
6. Miscellaneous Salaries and Expenses	7,070.494
7. Repairs	250.000
7.—Construction and Repairs	61,907.340
1. Tokyo Penitentiary Brick Wall Construction Expenses	8,270.466
2. New Construction	44,648 782
3. Repairs	8,988.092
8.—Hokkaido Works Expenses	328,644.575
1. Roads, Bridges, Drainages, and Embankment Expenses	174,053.697
2. Horomui-Umaoi Drainage Expenses	67,553.727
3. Barato-Zenibako Drainage Expenses	37,838.000
4. Sapporo-Barato Canal and Drainage Expenses	33,977.371
5. Harbour Investigation and Experiment Expenses	15,221.780
9.—Hokkaido Exhibits Expenses to Fourth Domestic Exhibition.	2,500.000
Total	1,921,901.985

Department of Finance.

1.—Central Famine Relief Fund Subsidy	185,300 000
2.—Subsidies	672,846 410
1. Nippon Railway Company	586,033 910
2. Kyushiu Railway Company	85,000.000
3. Sanyo Railway Company	1,812 500
3.—Public Bonds, manufacturing and issuing Expenses	300,473.975
1. Railway Bonds, manufacturing and issuing Expenses	6,784.507
2. War Loan Bonds, manufacturing and issuing Expenses	293,689.468
4.—Codes Investigation Committee	39 040.000
1. Office Expenses	1,620.000
2. Repairs	120.000
3. Miscellaneous Salaries and Expenses	37,300 000
5.—Construction and Repairs	104,478.674
1. Yokohama Customs Warehouses Construction	63,985.660
2. Yokohama Customs Transportion Way Construction	25,020.421
3. New Construction	15,472.593
6.—Akita Han Supplementary Allowances	160 951
Total	1,302,300.010

Department of War.

1.—Construction of Forts	1,090,438.853
1. Tokyo Bay Forts	303,000.000
2. Shimonoseki Forts	100,000.000
3. Ki-Tan Sea Forts	100.000 000
4. Arms and Ammunition	587,438.853
2.—Construction of Repeating Rifles	326.088.000
3.—Construction and Repairs	400,437.627
1. Ki-Tan Straits Barracks Construction	19,100.000
2. Tokyo Bay Barracks Construction	5,662.500
3. Steel Refinery Construction Expenses	21,169.000
4. Colonial Troops Barracks, &c., Construction	122,323 890
5. New Construction	232,182.237
4.—Surveying Expenses	183.910 209
1. Salaries and Allowances	16,896 000
2. Miscellaneous Allowances	2,559 000
3. Surveying Expenses	161,466.691
4. Office Expenses	914.268
5. Miscellaneous Salaries and Expenses	2.074.250
Total	2,000,874.686

Department of the Navy.

1.—Construction of Men-of-war	7,116,360.227
1. Building commenced in 1891	164,308.000
2. Building of Iron-clads commenced in 1893	6,579,001.502
3. Building of a cruiser and a Despatch Vessel commenced in 1893	373.050 725
2.—Public Works	595,769.500
1. Construction of Kure Admiralty	200,000.000
2. Construction of Saseho Admiralty	295.769 500
3. Construction of Arsenal	100 000.000
3.—Construction and Repairs	91,018.272
1. New Construction	90,058 272
2. Repairs	960.000
4.—Repairs of Vessels entrusted	34,177.000
5.—Gun-powder experimental Expenses	38,584.365
6.—A Dredger construction Expenses	191,577.600
7.—Expenses for despatching mechanics abroad	17,822 200
Total	8,085,309.164

Department of Justice.

1.—Construction and Repairs	63.455.000

Department of Education.

1.—Construction and Repairs	67,729.424
1. Construction of Rooms for Chemical Technology and Mineralotogy of the Imperial University	47,656 000
2. New Construction	9.540.000
3. Accommodation Expenses for Imperial University, Lecture Rooms and Hospitals	10,533.424
2.—Construction of machines of Tokyo Technical School	1,500.000
3.—Compilation of Historical Materials at Imperial University	12,900.000
Total	82,129 424

Department of Agriculture and Commerce.	
1.—Forests and Fields Investigation Expenses	39 151.500
1. Office Expenses	6,712 800
2. Travelling Expenses	19,996.300
3. Miscellaneous Salaries and Expenses	12,442.400
2.—Fourth Domestic Exhibition Expenses	97.477.172
1. Miscellaneous Allowances	19 000 000
2. Travelling Expenses	31.729 572
3. Office Expenses	42,747.600
4. Construction and Repairs	4.000.000
3.—Iron Foundry Investigation Expenses	39 945.000
1. Office Expenses	25,795 000
2. Travelling Expenses	2,500.000
3. Miscellaneous Salaries and Expenses	11,650.000
4.—Horses Investigation Expenses	12,631 090
1. Office Expenses	730.100
2. Travelling Expenses	4,346.240
3. Miscellaneous Salaries and Expenses	7.554.750
Total	189,204.762
Department of Communications.	
1.—Subsidies	939.750.000
1. Nippon Yusen Kaisha	880,000,000
2. Osaka Shosen Kaisha	50,000 000
3. Kobe-Nawa Navigation	9.750.000
2.—Construction and Repairs	367.571.872
1. New Construction	365,261.942
2. Repairs	2,309.930
3.—Extraordinary Foreign Travelling Expenses	4.357.760
Total	1,311,679 632
Grand Total	14.993,083.672

No. 239. Add'l to File

DIPLOMATIC BUREAU
MAR 27 1895

INDEX BUREAU
RECD.
MAR 21 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, February 28, 1895.

Mr. Dun
to the Secretary of State.

Subject:
Readings of telegrams.

No. 239.

Legation of the United States,
Tokyo, Japan, February 26, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose readings of telegrams as follows:

Mr. Denby to Mr. Dun, Peking, Feb. 19, 1895.
" " " " " " " 24, "
" " " " " " " 26, "
Mr. Dun to Mr. Denby, Tokio, Feb. 17, "
" " " " " " " 19, "
" " " " " " " 25, "

I have the honor to be,
Sir

Sir,

Your obedient servant,

Edwin Dun

Enclosures:

6 telegrams as above.

Enclosure / with Mr. Dun's No. 239.

Reading of a cipher telegram received from the United States Minister at Peking, February 19th, 1895.

"Peking, February 19, 1895.

"American Minister, Tokio.

February eighteenth. The Chinese Government directs me to "ask you to communicate the following to the Government of "Japan. The Grand Secretary Li Hung Chang has been appointed "with full powers. His honors have been restored to him; pea- "cock feather, yellow riding jacket and button. On the "nineteenth instant he will habd his duties as Viceroy and "start for Peking. He will be here twenty-first. China asks "Japan where she has decided the meeting of the Plenipoten- "tiaries will take place and to send a telegraphic reply as "soon as possible. Li Hung Chang will have credentials (or "Letter of credence?) giving him full powers to conclude and "sign treaty. He will leave Peking in a few days. This "telegram was prepared before receiving your telegram of "yesterday and I was requested by the Yamen to-day to send it.

"Denby."

Enclosure 2 with Mr. Dun's No. 239.

Reading of a telegram received from the United States Minister at Peking, February 24, 1895.

"Peking, February 23, 1895.

"American Minister, Tokio.

"February twenty-third. I send in Chinese text two notes and "a draft of letters patent which you are requested by the "Chinese Government to hand to the Japanese Government . If "Japan cannot translate the papers I will send translations.

"Denby."

Enclosure with Mr. Dun's No 239.

Reading of a telegram received from the United Minister at Peking, February 27, 1895.

"Peking, February 26, 1895.

"American Minister, Tokio.

"February twenty-sixth. As requested I send you English trans
"lations of the papers which were sent to you in Chinese the
"23 instant.

"Your Excellency sent to the Yamen a telegram from Japan dated
"the seventeenth instant and another dated the twentieth,
"(Should be the nineteenth instant), the contents of which we
"have duly perused. Li Hung Chang has been appointed Plenipo-
"tentiary with full powers. In the telegram of Japan of the
"seventeenth instant it is desired to discuss various questions
"In all these he has full powers to perform this duty. We beg
"that Your Excellency will communicate to the Japanese Govern-
"ment and enquire the place Japan has decided where the meet-
"ing of the Plenipotentiaries will take place and to ask for
"an answer by wire as soon as possible to the end that he may
"start on his journey. The present letters patent are in
"meaning the same as the letters issued by Japan; we send a
"copy of the text for Your Excellency's inspection and we ask
"Your Excellency to consider whether or not the text should be
"telegraphed to Japan.

"Cards of Princes and Ministers with compliments to Your
"Excellency.

"Li

"Li Hung Chang has been appointed by the Emperor Ambassador
"with full powers to consul with Japan on questions.
"According to international law plenipotentiaries can commun-
"icate with their own governments by secret telegrams. The
"diplomatic representatives have this opinion. We therefore
"ask Your Excellency to telegraph Japan beforehand informing
"them that action be taken according international law and
"that they do not stop it. We also hope Your Excellency will
"favor us with Japan's reply.
"Cards of Princes and Ministers with compliments.

"His Majesty the Emperor of China proclaims these Letters
"Patent by Imperial Authority. Being desirous of re-establish-
"ing sincere relations of friendship with the Emperor of
"Japan We specially appoint Li Hung Chang, Earl of the First
"Class, Grand Secretary under the designation of Wen-Hua-Tien,
"Viceroy of the Province of Chihli, Minister Superintendant
"of Trade for the Northern Ports, as Our Ambassador with Full
"Powers to confer with the Plenipotentiaries with full powers
"appointed by Japan and conjointly to negotiate with them and
"act as circumstances may require. He has the full powers to
"sttle beforehand the terms of a treaty of peace and to then
"sign and seal the same. Said Ambassador is a public spirited
"and loyal officer to his country. During his previous career
"he has established the name of rendering meretorious services
"to his government and he will certainly be able in a very

"careful

careful manner to perform his duties and bring about a close
'union of friendship between the two countries, thus fulfill-
'ing the trust We have reposed in him.
'The terms of the treaty agreed upon, however, must first
'be submitted for Our inspection and if they are found to be
'satisfactory and in order they will receive Our Imperial
'sanction.

'Denby.'

Enclosure 4 with Mr. Dun's No. 239.

Reading of a cipher telegram transmitted to the United States Minister at Peking, February 17th, 1895.

"Tokio, February 17, 1895.

"American Minister, Peking.

"February seventeenth. You are requested by the Japanese "Government to communicate (the following) to the Chinese "Government." The Japanese Government declare that the "despatch to Japan of another Chinese Peace Mission will be "wholly useless unless besides the payment of a war indemnity "and the admission of the complete independence of Korea the "Chinese Plenipotentiaries come prepared to negotiate under "full powers upon the basis of the cession of territory as a "consequence of war and an agreement to conclude definitive "treaties for the regulation of future intercourse. There are "other questions of less importance which will also require "adjustment. The Japanese Government reserve to themselves "the right at any time hereafter to formulate any additional "demands which may in their judgment be either necessary or "desirable.

" Dun."

Enclosure 5 with Mr. Dun's No. 239.

Reading of a cipher telegram transmitted to the Minister of the United States at Peking, February 19th, 1895.

"Tokio, February 19, 1895.

"American Minister, Peking.

"February nineteenth. Japanese Government requests you will "communicate the following to the Chinese Government:

"Before making the reply requested by the Chinese Government "in the telegram of the United States Minister at Peking of "the eighteenth instant the Japanese Government desires to be "assured that the Chinese Plenipotentiary is to be despatched "subject to the conditions mentioned in my telegram of seven- "teenth instant. The Japanese Minister for Foreign Affairs "notes that you use the word credentials or letter of credence "in your cipher telegram. To avoid the possibility of a "failure of the mission he desires it to be distinctly "understood that the authority the Chinese Plenipotentiary "brings must be full powers and not a letter of credence. It "is very advisable that the Chinese Government submits by "telegraph the wording of full powers to be given Li Hung "Chang.

"Dun."

Enclosure 6 with Mr. Dun's No. 239.

Reading of a cipher telegram transmitted to the United States Minister at Peking, February 25th, 1895.

"Tokio, February 25, 1895.

"American Minister, Peking.

"February twenty-fifth. Your two telegrams of twenty-third "received. You are requested by Japanese Government to "communicate the following to Chinese Government: There "being many unintelligible points in two notes and a draft "of letters patent, in Chinese text, the Japanese Government "requests, in order to guard against misunderstanding, that "their official English translations of the Chinese Government "be sent to them.

"Dun."

DIPLOMATIC BUREAU
MAR 27 1895

No. 240.

INDEX BUREAU
REC'D.
MAR 21 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, February 28, 1895.

Acd 16 3/28.1895

Mr. Dun
to the Secretary of State.

Subject:
Overtures for Peace made by China.

No. 240.

Legation of the United States,
Tokyo, Japan, February 28, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

As the telegraphic correspondence enclosed with my No. 239 of this date indicates, the Viceroy Li Hung Chang will, in all probability, very shortly leave China for Japan as China's Plenipotentiary to negotiate a treaty of peace.

In my telegram of the 17th instant

instant to Mr. Denby, Japan defines the basis upon which she will negotiate with China, i. e: the independence of Korea, a war indemnity, and the cession of territory. In Mr. Denby's telegram of the 26th instant, China formally acknowledges receipt of the telegram of the 17th instant defining the basis upon which Japan will be willing to negotiate a treaty of peace, and declares that Viceroy Li has been given full powers to negotiate with the Plenipotentiaries to be appointed by Japan. Japan's reply to this last message

from

from the Chinese Government has not yet been received by me for transmission, but I understand that it will be sent to me this evening or to-morrow morning and will accept the declarations made by China, through Mr. Denby, as satisfactory with the exception of one word in the last clause of the Imperial letters patent to the Viceroy Li. The clause referred to reads as follows: "The terms "of the treaty agreed upon, however, "must first be submitted for "Our inspection etc., etc." The Japanese Government will ask that the word "first" be stricken out.

out. China will also be requested to declare that the English text of the papers sent through Mr. Denby are official translations.

With these reservations, Japan will accept the papers as satisfactory and name a place where the meeting of the Plenipotentiaries of the two countries will take place.

I understand that the place of meeting will be Shimonoseki.

Upon the receipt of Japan's reply to China's message of the 26th instant received through Mr. Denby, I shall telegraph to you, as concisely as

as possible, the present state of preliminary negotiations and the prospect for peace.

I am happy to be able to say that, in my opinion, there is every reason to believe that the coming conference between the Plenipotentiaries of Japan and China will result in a treaty of peace.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

2D ASSISTANT SECRETARY.
To Secy of War.
Ack. by Number and File.
MAR 21 1895

No. 241.

INDEX BUREAU
REC'D.
MAR 21 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, February 28, 1895.

DIPLOMATIC BUREAU.
MAR 21 1895

Y War
22 Mch 95

Mr. Dun

to the Secretary of State.

Subject:

Hospital Corps Equipment used in Japanese Army.

No. 241.

Legation of the United States,
Tokyo, Japan, February 28, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:-

Referring to your instruction No. 157, of date the 9th ultimo requesting information relative to the Hospital Corps Equipment used by the Japanese Army, I have the honor to enclose herewith translation of a communication from the Department of War giving the information desired.

I

I also send, under separate cover, a number of pamphlets issued by the Medical Department of the Japanese Department of War.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Enclosure:

Translation of letter from Dept. of War.

TELEGRAM RECEIVED.

Secretary of State. MAR 19 1895

DIPLOMATIC BUREAU MAR 20 1895

From Tokyo

March 11, 1895.

Gresham

Washington

Received M.

Confirm by mail also Dun 19.

Confirmed March 22/95

March fourth. Peace Plenipotentiaries meet Shimonoseki about March twentieth. Li Hung Chang Chinese plenipotentiary. The independence [of] Korea, war indemnity, cession of territory demanded by Japan and tacitly accepted by China as the basis for negotiations. Prospects of an early arrangement very good.

Dun.

No. 242.

Read to file

Secretary of State
APR 5 1895

DIPLOMATIC
APR 1

INDEX BUREAU
REC'D.
MAR 29 1895
DEPT. OF STATE

Legation of the United States.
Tokyo. Japan, March 8, 1895.

Mr. Dun
to the Secretary of State.

Subject:
Readings of telegrams.

No. 242

Legation of the United States,
Tokyo, Japan, March 8, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose herewith the readings of telegrams as follows:

1. / Mr. Dun to the Secretary of State, Mch 4, 1895.
2. 2 Mr. Dun to Mr. Denby, March 5, 1895.
3. 3. " " " " " , " 4, " .
4. 4. " " " " " , " 7, " .
5. 5. " Denby " " Dun , " 8, " .
6. 6. " " " " " , " 4, " .

I

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Enclosures. 6 as above.

Enclosure 1 with Mr. Dun's No. 242.

Reading of a cipher telegram transmitted to the Secretary of State, March 4th, 1895.

"Tokio, March 4th, 1895.

"Gresham, Washington.

"March fourth. Peace Plenipotentiaries meet Shimonoseki "about March twentieth. Li Hung Chang Chinese Plenipotentiary "The independence Korea, war indemnity and cession of "territory demanded by Japan and tacitly accepted by China as "the basis for negotiation. Prospects of an early arrangement "very good.

"Dun."

Enclosure 2 with Mr. Dun's No. 242.

Reading of a telegram transmitted to the United States Minister at Peking, March 1st, 1895.

"Tokio, March 1, 1895.

"American Minister, Peking.

"March first. You are requested by the Japanese Government "to communicate to the Chinese Government the following: "Upon comparing the translations of the two notes and the "letters patent with the telegraphed Chinese texts a great "disparity has been found to exist owing no doubt in part "at least to mutilations and transposition of the Chinese "texts in transmission. The Japanese Government however "accept the letters patent upon the following conditions: "1st. The translation is to be amended as follows: At the "beginning the words "His Majesty" before the words "the "Emperor of China" are to be suppressed. Suppress the words "beforehand" and "then" and the word "first" in the last "clauseis also to be suppressed.

"2nd. The original Chinese text is to be made to conform "exactly to the amended translation. Special attention is "invited to the clause giving the reason for the issuance of "the letters patent.The Chinese text as received by the "Japanese Government implies that Japan is suing for peace. "This recital must be made to conform in the Chinese text to "the translation. The place of meeting will be Shimonoseki and "after the full powers of the Chinese Plenipotentiary have "been presented and found to be in good and due form the

"Japanese

"Japanese Government will permit Chinese Plenipotentiary to
"communicate with his Government in cipher. Upon receipt of
"a copy of the Chinese text of the letters patent amended as
"above indicated the Japanese Government will arrange the date
"of meeting of the Plenipotentiaries.

"Dun."

Enclosure 3 with Mr. Dun's No. 242.

Reading of a cipher telegram transmitted to the United States Minister at Peking, March 4th, 1895.

"Tokio, March 4, 1895.

"American Minister, Peking.

"March fourth. You are requested by Japanese Government to "communicate to the Chinese Government the following:

"The draft letters patent as telegraphed are satisfactory and "being duly signed and sealed will be accepted by the Japanese "Government. The time of the meeting of the Plenipotentiaries "will be notified after the arrival of the Chinese Plenipoten- "tiary at Shimonoseki. In order however that necessary "preparations may be made the Chinese Plenipotentiary should "arrange his departure so as to reach Shimonoseki not earlier "than two weeks from this date. The Japanese Government wish "to know as soon as possible contemplated date of departure "and number of suite of the Chinese Plenipotentiary.

"Dun."

Enclosure 4 with Mr. Dun's No. 242.

Reading of a telegram transmitted to the United States Minister at Peking, March 7th, 1895.

"Tokio, March 7, 1895.

"American Minister, Peking.

"March seventh. You are requested by Japanese Government to "communicate to Chinese Government the following:

"The Japanese Government acknowledge the receipt of Mr. "Denby's telegram of March fourth giving a description of the "flag to be displayed on the vessel on which Li Hung Chang is "to sail to Japan. The Japanese Government assume that the "vessel on which the Chinese Plenipotentiary is to come to "Shimonoseki will be a neutral vessel under a neutral flag "and they desire to know as soon as possible the name and "nationality of the vessel.

"Dun."

Enclosure 5 with Mr. Dun's No. 242.

Reading of a telegram received from the United States Minister at Peking, March 3rd, 1895.

"Peking, March 3, 1895.

"American Minister, Tokio.

"March third. I send the English text of the letters patent sent in Chinese yesterday which please communicate to the "Japanese Government. The Emperor of China proclaims these "letters patent by Imperial Authority. Being desirous of "re-establishing sincere relations of friendship with the "Empire of Japan We specially appoint Li Hung Chang, Earl of "the firstclass, Grand Secretary under the designation of "Wen Hua Tien, Viceroy of the province of Chihli, and Minister "Superintendent of Trade for the Northern Ports, as Our "Ambassador with full powers to confer with the Plenipotenti-"aries appointed by Japan and to conjointly negotiate with "them and act as circumstances may require. He has full powers "to settle the terms of a treaty of peace and to sign and "seal the same. The said Ambassador is a public spirited and "loyal officer to his country. During his previous career he "has established the name of rendering meretorious services to "his government and he will certainly be able in a very care-"ful manner to perform his duties and bring about a close "union of friendship between the two countries, thus fulfill-"ing the trust We have reposed in him. The terms of the trea-"ty agreed upon however must be submitted for Our inspection "and if they are found to be satisfactory and in order they "will receive Our Imperial Sanction. Denby."

Enclosure 6 with Mr. Dun's No. 242.

Reading of a telegram received from the United States Minister at Peking, March 4th, 1895.

"Pekin, March 4, 1895.

"American Minister, Tokio.

"March fourth. You are requested by the Chinese Government "to communicate to the Japanese Government the following: "The following is a description of the Ambassador's flag to be "displayed by the vessel on which Li Hung Chang will sail to "Japan: oblong yellow flag with roundel over centre enclosing "dragon rampant - gardant, surrounded by the four Chinese "charatters "ta chang yi fung" meaning "the Chinese Empire" "beneath this the blue dragon and red pearl of the Chinese "national flag.

"Denby. "

DIPLOMATIC BUREAU.
MAY 1 1895

Jacks May 1 95
Approved

DIPLOMATIC BUREAU
APR 8 1895

No. 243.

Legation of the United States,
Tokyo, Japan, March 8, 1895.

INDEX BUREAU
RECD.
MAR 29 1895
DEPT. OF STATE

Mr. Dun
to the Secretary of State.

Subject:
Property at Nagasaki leased by
George W. Lake.

No. 243.

Legation of the United States,
Tokyo, Japan, March 6, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:-

Referring to my No. 221, of date January 17th, 1895, in relation to the annulment of leases of certain lands at Nagasaki held by Mr. George W. Lake, and to my note of date January 5th, 1895, upon the subject to Viscount Mutsu, H. I. J. Mis. Minister for Foreign Affairs, a copy of which, marked enclosure

9

I, accompanied the said despatch, I have now the honor to enclose, herewith, copy of a note dated March 1st, 1895, from Viscount Mutsu in reply to my note to him of January 5th, referred to above.

You will please to observe that Viscount Mutsu closes his note with the declaration that "Under the circumstances of the "case, I (he) cannot think that "it would be either right or "proper for the Imperial Govern- "ment to intervene in the matter."

Having submitted the entire case as it now stands to you, I shall await your instructions before

DEPARTMENT OF STATE,
OFFICE OF SOLICITOR,
APR 2 1895

Mr. Adee:

Mr. Dabney is absent again on account of his cold. As he will be away several days, I return this despatch to you.

I think Mr. Dun should be directed to insist that Geo. W. Lake be restored to the enjoyment of his rights under the leases made to him.

It seems clear that no proper legal proceedings were instituted to annul the leases. Consul Abercrombie had no power to cancel them, and the action taken by him was disavowed by Minister Dun.

The Japanese Minister suggests difficulties in the way of reviving the rights of Lake, on account of the new leases to Edward Lake. It is not believed there would be any difficulty on that score. Edward Lake seems to have accepted the leases of the two lots only after the Japanese authorities had refused to allow them to be held longer by Geo. W. Lake.

I think it is worthy of notice that the third lot, of which Edward Lake was unable to obtain new lease except at five times the former rental, contains three or four buildings which were erected by Lake at an expense of several thousand dollars, and which could not be removed without serious loss.

F. V.

No. 243. II.

before taking any further action in the matter.

I have the honor to be,

Sir.

Your obedient servant,

Edwin Dun

Enclosure:

Viscount Morley to Mr. Dun,

March 1, 1895. - Copy.

Enclosure with Mr. Dun's No.243.

Copy.

No.9.

Translation.

Department of Foreign Affairs,
Tokio, the 1st day, the 3rd month,
the 28th year of Meiji.
(March 1st, 1895.)

His Excellency
Edwin Dun,
Envoy Extraordinary and Minister Plenipotentiary of the
United States of America.

Sir:-

The note which Your Excellency did me the honor of addressing to me under date of the 5th January last, in continuation of the question of the land formerly rented at Nagasaki by George W. Lake, a citizen of the United States, was duly received.

It appears that the two Sagarimatsu Lots belong to the Imperial Government and, being within the limits of the Foreign Settlement, are subject to what are known as the Nagasaki Land Regulations. The Kozonemachi Lot, on the other hand, is the property of a Japanese subject. It is outside the boundaries of the Foreign Settlement and the rights of the owner are determined by the laws of Japan.

The rent in respect of the three Lots fell due on the 31st March, 1894, and default of payment having been made, the

Chiji

Enclosure with Mr. Dun's No.243.

Copy.

No.9.

Translation.

Department of Foreign Affairs,
Tokio, the 1st day, the 3rd month,
the 28th year of Meiji.
(March 1st, 1895.)

His Excellency
Edwin Dun,
Envoy Extraordinary and Minister Plenipotentiary of the
United States of America.

Sir:-

The note which Your Excellency did me the honor of addressing to me under date of the 5th January last, in continuation of the question of the land formerly rented at Nagasaki by George W. Lake, a citizen of the United States, was duly received.

It appears that the two Sagarimatsu Lots belong to the Imperial Government and, being within the limits of the Foreign Settlement, are subject to what are known as the Nagasaki Land Regulations. The Kozonemachi Lot, on the other hand, is the property of a Japanese subject. It is outside the boundaries of the Foreign Settlement and the rights of the owner are determined by the laws of Japan.

The rent in respect of the three Lots fell due on the 31st March, 1894, and default of payment having been made, the

Chiji

Chiji of Nagasaki, after granting considerable indulgence to the delinquent lessee, requested the United States Consul to put into force the provisions of the Title Deeds under which the Lots were held. On the 10th September, that is, more than five months after default was made, the United States Consul, both by actual endorsement on the Title Deeds and by letter, formally declared that the Leases were null and void. In consequence the Sagarimatsu Lots reverted to the Imperial Government and the Kozonemachi Lot to the private owner.

Mr. Ohomori had no reason to call in question the competence of Mr. Consul Abercrombie to make the declaration of annulment, neither had he any cause to doubt the regularity of the procedure.

Relying upon the sufficiency of Mr. Abercrombie's action, Governor Ohomori, on the 25th September last, in compliance with an application preferred through the Consulate of the United States, issued new Title Deeds for the two Sagarimatsu Lots in favor of Edward Lake. Those Deeds were granted in pursuance of the Nagasaki Land Regulations and it is in virtue of the new leases that the Lots are now held.

The owner of the Kozonemachi Lot, however, having become seized of his property by reason of the annulment of the old Title Deeds, now refuses to again lease his land except at an enhanced rate of rent. Suchrefusal, I gather from the correspondence which passed between Governor Ohomori and Consul Abercrombie on the subject, constituted the chief, if not the only ground of complaint on the part of Messrs. Lake.

No

No question seems to have been raised regarding the validity of the new titles of Edward Lake. If his tenure to the Sagarimatsu Lots is good, it follows as a necessary corollary that the right of the owner of the Kozonemachi Lot to determine for himself the conditions upon which he will lease his land is equally unimpeachable, since that tenure and right both have their origin in the abrogation of the Title Deeds of George W. Lake.

The Imperial Government now stand in respect of all the Lots in question in exactly the same position. New rights have been created in consequence of the cancellation of the old leases. The Imperial Government cannot revive the forfeited rights of George W. Lake without at the same time abrogating the newly created rights. I am sure Your Excellency will agree with me that the adoption of such a measure would cast upon the Imperial Government a grave responsibility

But even the assumption by the Imperial Government of such a responsibility would not afford a solution of the question. The old leases are extinct, and the rights of the former lessee could only be revived by the issuance of new title deeds. George W. Lake is an enforced non resident of Japan, and while it does not seem to be necessary at this juncture to enter upon an examination of the question of the right of a non resident to continue to hold land lawfully acquired, I may be permitted to point out that under the Nagasaki Land Regulations, new Title Deeds can only be granted to <u>bona fide</u> residents.

I have already explained that default of payment in rent

was

was made at the close of March, 1894. I am unable to share Your Excellency's conviction that such default was cured by a tender of payment in the following August, more especially as the limit of the term of indulgence had already been fixed at the 1st of August.

I am therefore constrained to think that if any injustice has been done to George W. Lake it is in form only. But to correct the apparent irregularity of procedure it would be necessary to perpetrate a substantial injustice upon those persons who have acquired rights in consequence of the default of George W. Lake.

Under the circumstances of the case I cannot think that it would be either right or proper for the Imperial Government to intervene in the matter.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

(Signed.) Viscount Mutsu Munemitsu,

Minister for Foreign Affairs.

TELEGRAM RECEIVED.

Japanese Minister 9th

From Tokio,

Mch 9, 1895.

Gresham,

Received 9.10 A.M.

Secretary of State MAR 9 1895

Washington.

March ninth Japanese

Captured Niuchwang

Sixth foreigners all safe

Dun

Asper 2nd Inst

No. 244.

DIPLOMATIC BUREAU
APR 8 1895

INDEX BUREAU
REC'D.
APR 8 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, March 15, 1895.

Mr. Dun
to the Secretary of State.

Subject:
Telegram reporting the taking of Niuchwang, China, by Japanese forces.

No. 244.

Legation of the United States,
Tokyo, Japan, March 15, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:-

I have the honor to enclose herewith copy of my telegram of the 9th instant reporting the capture of Niuchwang, China, by the Japanese forces.

This information I received by telegram from the United States Vice-Consul at Niuchwang and upon the day following its receipt (the 10th

No. 244.

Legation of the United States,
Tokyo, Japan, March 15, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:-

I have the honor to enclose herewith copy of my telegram of the 9th instant reporting the capture of Niuchwang, China, by the Japanese forces.

This information I received by telegram from the United States Vice-Consul at Niuchwang and upon the day following its receipt (the 10th

10th instant) it was confirmed by a telegraphic communication from Commander Emory of the U. S. S. "Petrel".

In compliance with the requests of those gentlemen, I at once communicated, by telegraph, to Admiral Carpenter and Minister Denby the news of the capture of the city and the safety of the foreigners there.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Enclosure.

Mr. Dun's telegram of March 9th. Copy.

Enclosure with Mr. Dun's No. 244.

Reading of a telegram transmitted to the Secretary of State, March 9th, 1895.

"Tokio, March 9, 1895.

"Gresham Washington.

"March ninth. Japanese captured Niuchwang sixth. Foreigners "all safe.

"Dun."

DIPLOMATIC BUREAU
APR 8 1895

No. 243.

2D ASSISTANT SECRETARY
Ack. by Number and File.
aab
APR 8 1895

INDEX BUREAU
REC'D.
APR 8 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, March 15, 1895.

Mr. Dun
to the Secretary of State.

Subject:
Telegrams relating to the peace negotiations.

No. 245.

Legation of the United States,
Tokyo, Japan, March 15, 1895

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose
herewith copies of telegrams
exchanged by the Legations
at Tokyo and Peking relating
to the coming peace conference
at Shimonoseki.

I have the honor to be,
Sir,
Your obedient servant,
Edwin Dun

Enclosures:

3.4.5.

Enclosures:

1. Mr. Denby to Mr. Dun, Peking, March 11.
2. " " " " " " 12.
3. " " " " " " 12.
4. " " " " " " 13.
5. Mr. Dun to Mr. Denby, Tokio March 12.

Enclosure/ with Mr. Dun's No. 245.

Reading of a telegram received from the United States Minister at Peking, March 11th, 1895.

"Peking, March 11, 1895.

"American Minister, Tokio.

"March eleventh. I am requested by the Chinese Government "to send the following for the information of the Japanese "Government: Li Hung Chang will start for Japan on the four- "teenth instant. Two German merchant steamers under the "German flag, the 'Liyu' and 'Shengyi', will conver the "Plenipotentiary and suite to Japan. The suite will number "ten and more persons. Li Hung Chang will fly his flag as "Ambassador. I have telegraphed to Tientsin for exact number "of Li Hung Chang's official suite which I will wire you "later.

"Denby."

Encl. 2 with Mr. Dun's No. 245.

Reading of a telegram received from the United States Minister at Peking, March 13, 1895.

"Peking, March 12, 1895.

"American Minister, Tokio.

"March twelfth. The Government of China requests you to "communicate the following to the Government of Japan:

"Li Hung Chang will take the German merchant steamer 'Kungyi' "flying the German flag in place of the steamer 'Shengyi'. "He will take his departure on the 14 March. His official "suite will consist of thirty-three persons in all exclusive "of servants.

"Denby."

Encl. 3 with Mr. Dun's No. 245.

Reading of a telegram, received from the United States Minister at Peking, March 13th, 1895.

"Peking, March 12, 1895.

"American Minister, Tokio.

"March twelfth. You are requested by the Chinese Government "to communicate to the Japanese Government the following: "If agreable to Japanese Government the Ambassador will "prefer to live with his staff on board his two steamers which "have been specially fitted up. This will also make it "unnecessary for Japanese Government to take trouble in "arranging accomodations.

"Denby."

Enclosure 4 with Mr. Dun's No. 245.

Reading of a telegram received from the United States Minister at Peking, March 13, 1895.

"Peking, March 13, 1895.

"American Minister, Tokio.

"March thirteenth. Li Hung Chang begs me to telegraph to "Tokyo his request that the Japanese Government will oblige "him by authorizing and notifying pilots to meet his two "steamers off Shimonoseki and take them into port.

"Denby."

Enclosure 5 with Mr. Dun's No. 245.

Reading of a telegram transmitted to the United States Minister at Peking, March 12th, 1895.

"Tokio, March 12, 1895.

"American Minister, Peking.

"March twelfth. Japanese Government makes the following "inquiry: Does Li Hung Chang sail direct to Shimonoseki from "Tientsin. What is probable date of his arrival at Shimonoseki "and the exact number of the entire suite.

"Dun."

DIPLOMATIC BUREAU
APR 8 1895
2D ASSISTANT SECRETARY
Ack. by Number and File.
APR 8 1895

No. 246.

INDEX BUREAU
REC'D.
APR 8 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, March 15, 1895.

Mr. Dun
to the Secretary of State.

Subject:
Field Marshal Count Yamagata
appointed Minister of War.

No. 246.

Legation of the United States,
Tokyo, Japan, March 15, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to inform you that, on the 7th instant, Field Marshal Count Yamagata was appointed Minister of State for War, in addition to his previous office of Inspector General, and Count Saigo was relieved of the portfolio of war which he held temporarily in

addition

to his position as Minister of Marine.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dunn

DIPLOMATIC BUREAU.
APR 8 1895

2D ASSISTANT SECRETARY.
Ack. by Number and File.
APR 8 1895

No. 247.

INDEX BUREAU
REC'D.
APR 8 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, March 16, 1895.

Mr. Dun
to the Secretary of State.

Subject:
A naval expedition leaves Japan.
Its destination supposed to be
Formosa.

No. 247.

Legation of the United States,
Tokyo, Japan, March 16, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

Although I have no authoritative information in regard to the matter, it is currently reported and believed that a naval expedition left Japan, about the 10th instant, for Formosa.

I have been unable to ascertain either the strength

of

of this expedition or its object, but that the occupation of Formosa is intended is highly probable.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Confirm
March 29 95

Legation of the United States
Tokyo, March 20, 1895

MAR 21 1895

No. 3.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

CHECKED
Received.....
MAR 20 1895
Dept. of State

THE AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FOUR ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:
All Offices (21,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN:
LONDON: No. 21 Royal Exchange, E. C. No. 109 Fenchurch Street, E. C.
LIVERPOOL: 45 Exchange Buildings.
GLASGOW: No. 29 Gordon Street.
BRISTOL: Backhall Chambers.

Send dept. + file - Confirm Bureau of Accounts will note allow

NUMBER	SENT BY	REC'D BY	No. OF WORDS.	FROM
5				Tokio

RECEIVED at Washington Mch 20 1895

Gresham

Washington

March twentieth Heard qualified today Dun

C

No. 112

Legation of the United States
Tokyo, March 25, 1895

DIPLOMATIC BUREAU
MAR 27 1895

Form No. 3.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to conditions printed thereon and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

CHIEF CLERK,
Received at ... M.
MAR 26 1895
... BUILDING

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
ONNECTS WITH FOUR ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
ABLE CONNECTIONS WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:
All Offices (21,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN:

ONDON:
No. 21 Royal Exchange, E. C.
No. 109 Fenchurch Street, E. C.
LIVERPOOL: A5 Exchange Buildings.
GLASGOW: No. 29 Gordon Street.
BRISTOL: Backhall Chambers.

Corrected Copy
4.26 pm

NUMBER	SENT BY	REC'D BY	No. OF WORDS.	FROM
423	D.I	Da	28	Govt Tokio

RECEIVED at Washington D.C. March 25 1895

Confirm March 27

Gresham, Washington (D.C)

March twenty fifth yesterday Li Hung Chang was shot and seriously wounded in face by Japanese fanatic at Shimonoseki negociations must be suspended

Dun

No. 113

Legation of the United States
Tokyo, March 28, 1895.

Confirm March 29/95

DIPLOMATIC BURE... MAR 29 1895

MAR 29

No. 3.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

INCORPORATED

CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, President and General Manager.

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FOUR ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:

All Offices (21,000) of the Western Union Telegraph Company and its Connections.

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LONDON:
No. 21 Royal Exchange, E. C.
No. 109 Fenchurch Street, E. C.

LIVERPOOL: A5 Exchange Buildings.
GLASGOW: No. 29 Gordon Street.
BRISTOL: Backhall Chambers.

NUMBER	SENT BY	REC'D BY	No. OF WORDS	FROM
190				

RECEIVED at 656 Mar 28 1895

Gresham
Washington
March Twenty eighth Li Hung Changs speedy recovery anticipated early resumption of negotiations probable
Dun

2D ASSISTANT SECRETARY.
Ack. by Number and File.
APR 19 1895
aab

DIPLOMATIC BUREAU
APR 19 1895

No. 7.

INDEX BUREAU
REC'D.
APR 18 1895
DEPT. OF STATE

Legation of the United States,
Tokyo. Japan, March 28, 1895.

Mr. Herod

to the Secretary of State.

Subject:

Mr. Herod acknowledges the receipt of intelligence that he has been appointed Secretary of Legation.

No. 4.

Legation of the United States,
Tokyo, Japan, March 28, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of the information, imparted to me by Minister Dun, that I have been commissioned Secretary of this Legation.

The office I accepted on the 20th instant by taking the prescribed oath.

I am exceedingly grateful for this

this expression of confidence
coming from the President and
the Department of State
and trust that I may discharge
the duties of my office in
a manner satisfactory to
the Government.

I have the honor to be,

Sir,

Your obedient servant,

Joseph R. Underwood

2D ASSISTANT SECRETARY.
Ack. by Number and File.
APR 19 1895
DIPLOMATIC BUREAU
APR 19 1895
INDEX BUREAU
RECD.
APR 18 1895
DEPT. OF STATE

No. 248.

Legation of the United States,
Tokyo, Japan, March 28th, 1895.

Mr. Dun
to the Secretary of State.

Subject.
Telegram reporting the attempted assassination of Li Hung Chang.

No. 248.

Legation of the United States,
Tokyo, Japan, March 26, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose herewith copy of my telegram of the 25th instant reporting the attempted assassination of the Viceroy Li Hung Chang at Shimonoseki.

I have the honor to be,
Sir,
Your obedient servant,
Edwin Dun

Enclosure as above.

Enclosure with Mr. Dun's No. 248.

Copy of a telegram transmitted to the Secretary of State, March 25th, 1895.

"Tokio, March 25, 1895.

"Gresham, Washington.

"March twenty-fifth. Yesterday Li Hung Chang was shot and "seriously wounded in face by Japanese fanatic at Shimonoseki.

"Negotiations must be suspended.

"Dun."

2D ASSISTANT SECRETARY.
File oath.
Bureau of Accts will note
Mch by subject. aag
APR 19 1895

Mch
April 20/95

No. 249.

INDEX BU. REC'D.
APR 18 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, March 26, 1895.

Oath to Mr. Battle
April 19, 95

DIPLOMATIC BUREAU
APR 19 1895

Mr. Dun

to the Secretary of State.

Subject:

Mr. Hudo's appointment as
Secretary of Legation.

No. 249.

Legation of the United States,
Tokyo, Japan, March 28, 1895.

Honorable W. Q. Gresham.
Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose herewith copies of your telegram 1/ of the 19th instant, informing me that Mr. Joseph R. Herod had been commissioned Secretary of this Legation, and of my 2/ telegram of the 20th instant reporting that Mr. Herod had qualified, on that day, by taking the

the prescribed oath of office,
herewith enclosed. 3.

It is highly gratifying to
me that Mr. Herod services as
Second Secretary have been
rewarded by his promotion
to the post of Secretary of
Legation.

I have the honor to be,
Sir.
Your obedient servant,
Edwin Dun

Enclosures:

1. Act. Secretary of State to Mr. Dun.
Telegram, Mch. 19.
2. Mr. Dun to the Secretary of State.
Telegram. March 20.
3. Mr. Herod's oath of office.

Enclosure/with Mr. Dun's No. 249.

Copy of a telegram received from the Secretary of State, March 20th, 1895.

"Washington, March 19, 1895.

"Dun, Minister, Tokio.

"Herod commissioned secretary Legation.

"Have him take oath and send it here.

"Uhl, Acting."

Enclosure 2 with Mr. Dun's No. 249.

Copy of a telegram transmitted to the Secretary of State, March 20th, 1895.

"Tokio, March 20, 1895.

"Gresham, Washington.

"March twentieth. Herod qualified to-day.

"Dun."

2D ASSISTANT SECRETARY.
Ack by subject & file.
APR 24 1895

No. 250.

INDEX BUREAU
REC'D.
APR 18 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, March 28th, 1895.

INFORMATION BUREAU.
APR 24 1895

Ack. 26 April 95. m

Mr. Uhl
to the Secretary of State.

Subject:
Attempted assassination of the Chinese Peace Ambassador, the Viceroy Li Hung Chang.

No. 250.

Legation of the United States,
Tokyo, Japan, March 28, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

On the 25th instant I had the honor to inform you by telegraph of the shooting and serious wounding of the Viceroy Li Hung Chang on the 24th instant at Shimonoseki, by a Japanese fanatic.

It appears that the Viceroy was returning in a chair to his lodging at about half-past four

four in the afternoon of the 24th instant from the third meeting of peace plenipotentiaries, and had nearly reached his destination when a Japanese, dressed as a laboring man, rushed from the crowd that lined the street, and when within six feet of the Viceroy, and to his front and right fired at him with a revolver. The bullet struck the Viceroy in the left cheek about one inch below the eye, and penetrated to a depth of about one inch, lodging under the cheek bone. The Viceroy was at once conveyed to his lodging place where he still

remains

remains.

The latest report from the surgeons in attendance states that his wound gives no special cause for anxiety, and is not so serious as was at first feared; that in all probability he will have sufficiently recovered within two weeks to transact business, and that his entire recovery may be confidently expected within one month.

The assassin, Koyama by name, was at once arrested and is now undergoing examination. He is a native of Gumma Prefecture, twenty-six years of age, and is a man of lawless and dissolute habits. He belongs

belongs to the "Soshi" class and it is supposed that the motive which prompted his dastardly attempt upon the Viceroy's life was a crazy belief that the murder of China's Plenipotentiary would prevent the conclusion of peace. His act is condemned and bitterly regretted by all classes, high and low alike, in Japan. Throughout the nation a feeling of sorrow for the injured man, and of humiliation and shame for the disgrace brought upon the country is expressed together with execration of the unfriendly deed that must injure Japan and her cause in the eyes of the world.

At this time it is difficult

to

to surmise just what effect this deplorable incident will have upon the negotiations for peace. That they must be suspended, for a short time at least, seems certain. I was informed this morning by Mr. Hayashi, Vice-Minister for Foreign Affairs, that the Viceroy had expressed his intention to remain where he was and to resume negotiations at the earliest day possible. If everything goes well a resumption of negotiations for peace may, therefore, be expected to take place within ten days or two weeks.

In the meantime it is Mr. Hayashi's belief (also expressed to me this morning) that

that hostilities against China will be practically suspended, leaving the situation in statu quo until the peace Plenipotentiaries of the two countries again meet in conference.

Mr. Hayashi informed me that the specific terms upon which Japan will conclude peace have not yet been made known to the Chinese Plenipotentiary; that up to the time negotiations were suspended by the attack upon the Viceroy the only matters discussed by the Plenipotentiaries were the terms of an armistice.

I have the honor to be, Sir,

Your obedient servant,

Edwin Dun

7de

2D ASSISTANT SECRETARY.
Ack. by Number and File.
aaa
APR 24 1895

No. 257

INDEX BUREAU
REC'D.
APR 18 1895
DEPT. OF STATE

Legation of the United States.
Tokio Japan, March 29, 1895.

DIPLOMATIC BUREAU
APR 24 1895

Mr Dun

To the Secretary of State.

Seen by the Secretary aaa April 23.

Subject-

Temporary armistice granted to China by Japan.

Confidential

No. 257.

Legation of the United States,
Tokio Japan, March 29. 1895.

Hon. W. Q. Gresham
Secretary of State
Washington D.C.

Sir:

On the eve of the closing of the mail I have received a very important communication from Mr Hayashi, Vice Minister for Foreign Affairs, a copy of which I have the honor to enclose herewith, informing me that His Majesty the Emperor has commanded the Japanese Plenipotentiaries to consent to a temporary

Armistice

armistice with China without conditions.

I have the honor to be

Sir,

Your obedient servant

Edwin Dun

Enclosure

Mr Inagaki to Mr Dun, March 29, 1895.

Enclosure with Mr. Dun's No.

Copy.

Confidential.

Foreign Office Tokio,

March 29, 1895.

Dear Mr. Dun.

I hasten to inform you most confidentially that on account of the untoward accident to the Cinese Plenipotentiary, His Majesty has commanded the Japanese Plenipotentiaries to consent to a temporary armistice without conditions. This decision, it seems, was yesterday communicated to the Chinese Plenipotentiary.

Yours Sincerely,

T. Hayashi.

TELEGRAM RECEIVED. Cipher

Secretary of State.
MAR 30 1895

From Tokyo

March 30, 1895.

DIPLOMATIC BUREAU
MAR 30 1895

Gresham

Washington

Received M.

Confirm April 1/95

March thirtieth. Pending Li Hung Chang's recovery unconditional armistice is granted by Japan to China

Dun.

Legation of the United States
Tokyo, March 31, 1895

DIPLOMATIC BURE
APR 2 1895

Confirming April 3/95

Secretary of State
APR 1 1895

ANS-ATLANTIC CABLEGRAM.

POSTAL TELEGRAPH-CABLE COMPANY
IN CONNECTION WITH THE COMMERCIAL (MACKAY-BENNETT) CABLES

ALBERT B. CHANDLER,
President and General Manager.

JOHN O. STEVENS,
Secretary.

essage, 1NY. TD. R.

1 11

(R-TD) 7:28 a.m.

Words, 23

March 31st-95. 189

following CABLEGRAM received, **"Via Commercial Cables,"** *at* ..... *M.*
the terms and conditions printed on the back hereof, which are ratified and agreed to.

TOKIO(Govt) *To* GRESHAM,

Washington,

March Thirty first Armistice extends to Provinces of Hoten Chokurei and Santo only does not include Formosa ends April Twentieth.

Dun.

uiry respecting this Message can be attended to without the production of this paper. Repetitions of doubtful words should ed through the Company's offices, and not by DIRECT application to the sender.

TELEGRAM RECEIVED.

Secretary of State. APR 4 1895

From Tokyo

April 4, 1895.

Gresham

Washington

Rec'd Received M.

Confirm by mail

Confirmed April 8/95

April fourth. The following are the demands of
pan: the independence of Korea, cessions of Southern part
Shing King Province and of Formosa, ~~payment of~~ an indemnity
ree hundred million taels and important concessions in
e interests of general foreign commerce and trade. Nego-
ciations have been resumed.

Dun.

2D ASSISTANT SECRETARY.
Ack. by Number and File
MAY 14 1895

No. 252.

INDEX BUREAU
REC'D.
MAY 13 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, April 12, 1895.

DIPLOMATIC BUREAU
MAY 14 1895

Mr. Dun

to the Secretary of State.

Subject:

Copies of telegrams.

No. 252.

Legation of the United States,
Tokyo, Japan, April 12, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose herewith copies of the following telegrams relating to the peace conference at Shimonoseki:

1. Mr. Denn to the Secretary of State, March 28, 1895.
2. Mr. Denn to the Secretary of State, March 30, 1895.
3. Mr. Denn to the Secretary of State, March

March 31, 1895.

Mr. Dun to the Secretary of State, 4.

April 4, 1895

Mr. Dun to Mr. Denby, Peking, April 1, 1895 5.

Mr. Denby to Mr. Dun, April 6, 1895. 6.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Six enclosures as above.

/

Enclosure / with Mr. Dun's No. 252 .

Copy of a telegram transmitted to the Secretary of State, March 28th, 1895.

"Tokio, March 28, 1895.

"Gresham, Washington.

"March twenty-eighth. Li Hung Chang's speedy recovery "anticipated. Early resumption of negotiations probable.

"Dun."

1

Enclosure 2 with Mr. Dun's No. 252.

Copy of a cipher telegram transmitted to the Secretary of State, March 30th, 1895.

Tokio, March 30, 1895.

"Gresham, Washington.

"March thirtieth. Pending Li Hung Chang's recovery an "unconditional armistice is granted by Japan to China.

"Dun."

Enclosure 3 with Mr. Dun's No. 252.

Copy of a telegram transmitted to the Secretary of State, March 31st, 1895.

"Tokio, March 31, 1895.

"Gresham, Washington.

"March thirty-first. Armistice extends to provinces of "Hoten, Chokurei and Santo only. Does not include Formosa. "Ends April twentieth.

"Dun."

/

Enclosure 4 with Mr. Dun's No. 252.

Copy of a cipher telegram transmitted to the Secretary of State, April 4th, 1895.

"Tokio, April 4, 1895 .

"Gresham, Washington.

"April fourth. The following are the demands of Japan:

"The independence of Korea; cession of southern part of "Shin King province and of Formosa; an indemnity of three "hundred million taels; and important concessions in the "interests of general foreign commerce and trade. Negotia-"tions have been resumed.

"Dun."

/

Enclosure 5 with Mr. Dun's No. 252.

Copy of a telegram transmitted to the United States Minister at Peking, Apri l 1st, 1895.

"Tokio, April 1, 1895.

"American Minister, Peking.

"April first. You are requested by Japanese Government to "communicate to Chinese Government the following:

"Although Li Hung Chang is making favorable progress towards "recovery, the regretful occurrence from which he is "suffering necessarily tends to retard negotiations. Conse- "quently, in order to facilitate negotiations, Japanese "Government recommend that the son of Li Hung Chang, council- "lor Li Ching Fong, who is now at Shimonoseki, be associated "with Li Hung Chang as plenipotentiary. Under the circum- "stances, and in order to prevent delay, Japanese Government "will accept as sufficient telegraphic full powers transmitted "to Li Ching Fong directly., at the same time Japanese "Government to be notified of such appointment through the "United States Ministers at Peking and Tokio.

"Dun."

/

Enclosure 6 with Mr. Dun's No. 252.

Reading of a telegram received from the United States Minister at Peking, April 7th, 1895.

"Peking, April 6, 1895.

"A merican Minister, Tokio.

"April sixth. The Government of China requests that you will "communicate the following to the Government of Japan:

"Li Ching Fong appointed by Emperor to-day as plenipotentiary "with full powers to act with Li Hung Chang to negotiate "treaty of peace.

"Denby."

Filed under Legation of the U.S. to Japan

312 Camden Road

London, April 13th 1895.

DIPLOMATIC BUREAU
APR 30 1895

Honorable W. Q. Gresham,

INDEX BUREAU
REC'D.
APR 29 1895
DEPT. OF STATE

Secretary of State

2D ASSISTANT SECRETARY
Grant extension as asked.
Instruct Mr Dun accordingly
APR 29 1895

Washington D.C.

Alex. 1st May 1st m D. Min. at Jap. 1st May 95.

Sir:

I have the honor to acknowledge receipt of your instruction dated March 9th informing me that it will be necessary for me to proceed to the United States if I wish to avail myself of the statutory increase of leave of absence to cover time consumed in making the journey to and from the United States and Japan, and to which you add that "should you (I) desire to "visit England, your leave will be "extended without pay for such "reasonable time beyond the sixty days "already granted as will enable you "(me) to make the journey thither and "return; or for so much of that time as "may be in excess of the sixty days "should your (my) sojourn in England be

"he of briefer duration".

Having left Japan on the 25th of February
via Hongkong I reached England yesterday
the 12th instant, and have since decided
to avail myself of the permission contained
~~me~~ in your instruction above
referred to and apply for a further
leave without pay, as I am not certain how soon
I can proceed.
I, therefore, have the honor to request
an extension without pay of 60 days
of my original leave which will
expire on the 25th instant, and also
beg that the United States Minister
at Tokyo may be authorized, as in case
of a former extension of leave without
pay, granted me in November or
December 1869, to draw the salary of
interpreter and pay the same to Mr.
R. S. Miller whom, with the approval
of the Department, he has appointed
as my substitute during my absence

I have the honor to be,

Sir,

Your obedient servant

Willis Norton Whitney

c/o J. B. Braithwaite

312 Camden Road

London N.

Instruction
No. 425. 5:20 P.M.

Confirmed April 17 1895

TELEGRAM RECEIVED. in Cipher

Secretary of State
APR 16 1895

DIPLOMATIC
APR 18 1895

From Tokio

April 16th, 1895.

Received 5:10 P.M.

Gresham,

Washington

Confirm file
Apr 18.

April Sixteenth. It is reported on good authority that Treaty of Peace was concluded afternoon's (this afternoon.)

Dun.

DIPLOMATIC BUREAU
MAY 16 1895

2D ASSISTANT SECRETARY.
Ack by subject + file.
MAY 14 1895

No. 253.

Legation of the United States.

INDEX BUREAU
RECD.
MAY 13 1895
DEPT. OF STATE

Tokyo, April 16th, 1895.

Rec'd. 17 May 95 m.

Hon. Olney, to the

Secretary of State,

Washington, D. C.

Subject:

Terms of the Armistice with China.

No. 253.

Legation of the United States,
Tokyo, Japan, April 16, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

On the 29th ultimo I had the honor to inform you that the Emperor of Japan had commanded the Japanese peace Plenipotentiaries to consent to an armistice with China.

I now have the honor to enclose herewith an editorial that appeared in the Japan Mail of the 1st instant, entitled "Conclusion of an Armistice", embodying a translation from

from the Official Gazette of the terms of the armistice as set forth in the convention concluded between the Japanese Plenipotentiaries and the Viceroy Li Hung Chang, March 30th, 1895.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Enclosure:

Editorial from Japan Mail of April 1st, 1895.

Enclosure with Mr. Ennis,
No. 253.

I.

The Japan Daily Mail.

YOKOHAMA, MONDAY, APRIL 1, 1895.

CONCLUSION OF AN ARMISTICE.

A TEMPORARY and local armistice has been concluded between Japan and China. This chapter of the war is certainly one of the most interesting and at the same time picturesque of the whole record.

The first meeting of the Peace Conference took place on the March 20th, and the business was limited to mutual examination of credentials. These being found perfectly satisfactory, the Plenipotentiaries separated, agreeing to come together again at 2 p.m. the following afternoon. So soon on the second meeting opened, the Viceroy LI proposed that an armistice be declared as a step preliminary to negotiating terms of peace. Such a proposal had, of course, been anticipated. The Japanese Plenipotentiaries replied that they were not averse to an armistice, but that, before agreeing to it, they should require China to comply with certain conditions. Those conditions were, first, that Japanese troops be placed in occupation of Tientsin, Taku, and Shanhaikwan; secondly, that all the forts, barracks, and armaments at those places should be handed over; thirdly, that China should withdraw her troops from their positions there; fourthly, that Japan be given control of the railway from Shanhaikwan to Tientsin; and fifthly, that China should pay all expenses incurred by Japan in carrying out the above conditions. The Viceroy took exception to these terms as too stringent, but asked permission to consider them maturely, which request was of course complied with. An interval of two days consequently ensued, and when, on the 24th ultimo, the Plenipotentiaries met again, the Viceroy urged that Japan should modify her demands. Receiving a firm refusal, he declared, after some further expostulation, that under such circumstances he desired to withdraw his proposal for an armistice and to commence the peace negotiations at once. It was therefore decided that the Conference should re-open for the latter purpose the following day. But on the way back from the place of meeting, a fanatic attempted to take the life of the Viceroy, and succeeded in inflicting a wound so serious as to incapacitate the aged statesman for a considerable time. The Emperor of JAPAN then took a remarkable step. In consideration of the fact that the Viceroy had been wounded by a Japanese, and that the progress of the peace negotiations had thus been suspended by an incident for which Japan was responsible, HIS MAJESTY directed his Plenipotentiaries to withdraw all the conditions previously advanced by them, and to agree to an unconditional armistice for a fixed period. The necessary agreement was at once drafted, and on the 30th of March it received the signatories of both sides. Lord LI, acting on behalf of the Viceroy, proceeded to the Conference chamber, and there received the signatures of their Excellencies Count ITO and Viscount MUTSU, and Mr. ITO MIYOJI, Chief Secretary of the Cabinet, repaired to Injoji and there received the signature of the Viceroy LI. The convention itself and the proximate cause of its conclusion are thus given in the *Official Gazette*:—

His Majesty the Emperor of Japan, in consideration of the fact that the progress of the Peace Negotiations has been interrupted by an untoward incident, issued instructions to the Em-

(See next sheet)

II

pire's Peace Plenipotentiaries to agree to a temporary armistice. Consequently, His Imperial Majesty's Plenipotentiaries, Count Ito, Minister President of State, &c., and Viscount Mutsu, Minister of State for Foreign Affairs, &c., have concluded the following Convention with Earl Li, Viceroy of Chihli, &c., the Plenipotentiary of His Imperial Majesty the Emperor of China :—

Art. I.—The Governments of Japan and China hereby agree that the land and sea forces of the two countries shall observe an armistice in the districts of Mukden, Chihli, and Shantung, in accordance with the stipulations of this Convention.

Art. II.—The forces required to cease fighting in virture of this Convention, shall be entitled to retain possession of all the places now in their occupation. Provided that, under no circumstances whatever shall any advance be made beyond the aforesaid places during the period covered by this Convention.

Art. III.—The Governments of the Empires of Japan and China hereby agree that, during the period covered by this Convention, neither party, whether for offensive or defensive purposes, shall augment its armies now in the field, or shall send re-inforcements, or shall in any other way increase their combative capacity. It shall, nevertheless, be within the competence of the Government of either empire to make redistribution or transportation of its troops provided that such redistribution or transportation be not intended to augment the armies now actually engaged in the field.

Art. IV.—With regard to the maritime transport of military necessaries or other contraband of war, seizures made in accordance with the laws of war, shall be permissible.

Art. V.—The Governments of the two Empires of Japan and China agree to carry into effect the armistice agreed upon by this convention for a period of 21 days counting from the day of signature. With respect to positions now occupied by the troops of each Empire and not within reach of communication by telegraph, rapid methods of transmitting the order to cease hostilities shall be employed, and the officers in command of the forces of the two Empires, upon receipt of such order, shall mutually convey information of the fact to each other, and shall make arrangements for an armistice.

Art. VI.—It is agreed that, without any further inter communication, this convention shall cease to have binding force at noon on the 20th day of the fourth month of the 28th year of *Meiji*, namely, the 26th day of the third month of the 21st year of Kwang-su. But should the Peace Negotiations be broken off before that date, this convention shall simultaneously terminate.

(Dated) Shimonoseki; the 30th day of the 3rd month of the 28th year of *Meiji*; namely, the 5th day of the 3rd month of the 21st year of Kwangsu.

(Signed) Here follow the signatures and seals of Count ITO Viscount MUTSU, and the Viceroy LI.

It will be observed that the above Convention does not effect any regions other than those of Chihli, Shinking, and Shantung. Japan's operations at the Pescadores and Formosa will not be interrupted. For the rest, it is a complete armistice, and the manner of granting it reflects great credit on Japan. From the conditions that she insisted on imposing when the Chinese Plenipotentiary originally asked for a truce, we can infer with certainty the price she set upon such a concession. It was a high price. Perhaps no serious apprehensions need have been entertained about any preparations for defence that China might make during an interval of truce. But it was believed by many that one of the devices employed by her plenipotentiaries would be to ask for a cessation of hostilities with a view to such preparations, and the Japanese on their side, were resolved to make the granting of her request a means of testing her sincerity. Thus the abandonment of all conditions is a sacrifice of considerable magnitude. Japan was under no obligation to make such a sacrifice. The world would not have held her nationally accountable for the mad crime of a solitary fanatic. But she has evidently been deeply pained by the incident of the 24th of March, constituting, as it did, a violent breach of the laws of hospitality and international good faith, and has voluntarily resolved to impose upon herself a penance that shall leave no room to doubt her sentiment of abhorrence for deeds like that of KOYAMA TOYOTARO. She is to be congratulated on the course she has taken. It establishes a standard of inter-state morality rarely to be found in any page of history, and its effect will be to completely remove the disgrace of KOYAMA'S crime.

All this, however, drives us to conclude that the armistice must not be interpreted in the sense attaching to such a measure under ordinary circumstances. Had it been accompanied by the conditions originally demanded by Japan, peace might have been considered certain. But as things stand now, it is a special step which Japan has been impelled to take in deference to considerations that have no connection whatever with the anticipated sequel of the peace negotiations.

DIPLOMATIC BUREAU
MAY 14 1895

2D ASSISTANT SECRETARY.
Ack. by Number and File.
MAY 14 1895

No. 254.

INDEX BUREAU
REC'D.
MAY 13 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, April 16th, 1895.

Mr. Dun, to the
Secretary of State,
Washington, D. C.

Subject:

Appointment of Councilor Li Ching Fang
as Chinese Peace Plenipotentiary.

No. 254.

Legation of the United States,
Tokyo, Japan, April 16th, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

On the 6th instant Councilor Li Ching Fang, son of Li Hung Chang, was appointed by the Emperor of China a Plenipotentiary to act with the Viceroy Li Hung Chang with full powers to negotiate and conclude a treaty of peace with Japan.

In this connection I have the honor to refer you to my telegram to

to Mr. Henby dated the 12th instant and Mr. Henby's reply thereto dated the 6th instant, the readings of which were included with my No. 252, of date April 12, 1895, and marked enclosures 5 and 6 respectively.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

2D ASSISTANT SECRETARY.
To Treasury Dept.
Ack & file.
MAY 14 1895

No. 255.

INDEX BUREAU
REC'D.
MAY 13 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, April 16th, 1895.

DIPLOMATIC BUREAU
MAY 14 1895

Mr. Dun, to the
Secretary of State,
Washington, D. C.

Ack: 15 May '95 m
To Treasury 15 May '95 m

Subject:

Publication of Cholera Regulations.

No. 256.

Legation of the United States
Tokyo, Japan, April 16th, 1896.

Honorable W.Q. Gresham,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to enclose herewith copy of a Notification, that I have caused to be published in three English newspapers of Yokohama, which was issued in compliance with the request of H.I.J.M's. Minister of Foreign Affairs, and owing to the appearance of cholera in Kinchow, China, and the Pescadores.

I

I have the honor to be,

Sir,

Your Obedient servant,

Edwin Dun

Enclosure:

Copy of Notification as above.

Enclosure with Mr. Dun's
No. 255.

The Japan Daily Mail.

YOKOHAMA, TUESDAY, APRIL 16, 1895,

New Advertisements.

NOTIFICATION.

To CITIZENS of the UNITED STATES in JAPAN and to COMMANDERS and MASTERS of VESSELS bearing the FLAG of the UNITED STATES in JAPANESE WATERS.

THE Undersigned hereby notifies ALL CITIZENS of the UNITED STATES in JAPAN, and the COMMANDERS and MASTERS of NAVAL & MERCHANT VESSELS of the UNITED STATES arriving at the Open Ports of Japan, that they will be required, until further notice shall be given, to CONFORM in all respects to the PROVISIONS of Notifications Nos. 53 and 54 of the Department of Home Affairs of the Imperial Japanese Government, dated the 10th day of April, 1895.

(TRANSLATION.)

NOTIFICATION No. 53 of the DEPARTMENT for HOME AFFAIRS.

NOTICE is hereby given that owing to the danger of the spreading of the CHOLERA which has appeared in KINCHOW and the PESCADORES, the "Regulations for the Inspection of Vessels arriving from localities infected with Cholera," which were promulgated by Decree, No. 31 of the 6th month of the 15th year of Meiji, shall be enforced at the following Ports in respect to Vessels arriving there direct, or through intermediate Ports, after leaving, or calling at the Ports of the territories occupied by the Imperial Armies, including the Pescadores:—

Port of YOKOHAMA, in KANAGAWA PREFECTURE.

Port of KOBE, in HIOGO PREFECTURE.

Ports of NAGASAKI and KUCHINOTSU, in NAGASAKI PREFECTURE.

Port of MOJI, in FUKUOKA PREFECTURE.

Medical Inspection of Vessels entering the Port of MOJI, in Fukuoka Prefecture, shall be enforced at the Port of SHIMONOSEKI, in Yamaguchi Prefecture.

Medical Inspection of Vessels bound for UJINA, in Hiroshima Prefecture, shall be enforced at the Port of SHIMONOSEKI, in Yamaguchi Prefecture.

In case it is deemed necessary to disinfect Vessels bound for the Port of KUCHINOTSU, and other Special Export Ports, these Vessels shall be required to proceed to the nearest disinfecting station.

VISCOUNT NOMURA YASUSHI,
Minister for Home Affairs.

The 10th day, the 4th month, the 28th year of Meiji.

NOTIFICATION No. 54 of the DEPARTMENT for HOME AFFAIRS.

NOTICE is hereby given that those Vessels subject to Medical Inspection in accordance with Notification No. 53 of the Department for Home Affairs, shall, upon approaching their Ports of destination, proceed as follows:—

Those bound for the Port of KOBE shall call and stop at WADANOMISAKI, in Hiogo Prefecture, and those bound for the Port of YOKOHAMA shall call and stop at NAGAHAMA, in Kanagawa Prefecture, where they will receive Inspection by the Inspecting Officers.

VISCOUNT NOMURA YASUSHI,
Minister for Home Affairs.

The 10th day, the 4th month, the 28th year of Meiji.

Given under my hand at the Legation of the United States, Tokyo, Japan, this 10th day of April, 1895.

EDWIN DUN,
Envoy Extraordinary and Minister Plenipotentiary of the United States of America.

P.

TELEGRAM RECEIVED.

Cipher

Secretary of State.
DIPLOMATIC BUREAU
APR 20 1895

From Tokyo

April 17, 1895

Gresham

Washington

Confirm this date

Received M.

Confirmed April 22/95

April seventeenth. I am informed by Japanese Minister for Foreign affairs that a preliminary treaty of peace was signed this morning. Indemnity two hundred million taels; all other conditions are the same as in my telegram of fourth April.

Dun.

2D ASSISTANT SECRETARY.
Ack with No. 258.
MAY 13 1895

No. 256.

Legation of the United States.

Tokyo, Japan, April 18, 1895.

INDEX BUREAU
REC'D.
MAY 13 1895
DEPT. OF STATE

DIPLOMATIC BUREAU.
MAY 16 1895

Ack. 17th May 95

Mr. Dun, to the

Secretary of State,

Washington, D.C.

Subject:

Peace Negotiations: Japan's Demands.

No. 256.

Legation of the United States.

Tokyo, Japan, April 16, 1895:

Honorable W. Q. Gresham,

Secretary of State,

Washington, D. C.

Sir:

On the 4th instant I had the honor of telegraphing you the demands presented to the Viceroy Li Hung Chang on the 3rd instant by the Japanese peace Plenipotentiaries, as conditions upon which Japan would be willing to conclude a treaty of peace with China. On the 10th instant, at a meeting of the Japanese and Chinese Plenipotentiaries at Shimonoseki

Shimonoseki, the demands of Japan were somewhat modified inasmuch as the cession of a smaller part of Southern Shing King province is demanded than before, and the indemnity demanded is reduced from three-hundred million taels to two hundred million taels. The other conditions imposed remain the same as before: that is, the independence of Korea, the cession of Formosa (including the Pescadores Islands) and the concessions in the interests of general foreign trade in China. The latter concessions include the right of foreigners to lease storehouses in the interior of China for purposes of trade; the abolition of discriminating [illegible], on foreign

barrier tax on imported goods; the right of foreigners to engage in manufactures on equal terms with the natives; the right of foreigners to import machinery of all kinds; and a re-adjustment of the currency of China so that the tael - or standard measure of value - shall be uniform in all parts of the country.

On the 18th instant the Chinese Plenipotentiaries were informed that three days only could be granted them to consider the demands of Japan. Since then, however, in consequence of the urgent request of the Chinese Plenipotentiaries, this time has been extended. Mr. Hayashi,

Vice Minister

Vice-Minister for Foreign Affairs, informed me that it was his belief that the demands made by the Japanese Plenipotentiaries at the Conference on the 10th instant were final; that if further modifications were conceded they would not alter those demands in any essential feature. If such is the case a conclusion of the Shimonseki Conference, either in peace or continued war, may be expected at any moment.

For a better understanding of the territorial demands of Japan in Southern Shing King, I have the honor to enclose herewith a map upon which two lines are drawn in red ink, one dotted the other continuous

continuous; the territory south of the former represents approximately that first demanded, that south of the latter the modified demand made on the 10th instant.

I have the honor to be,

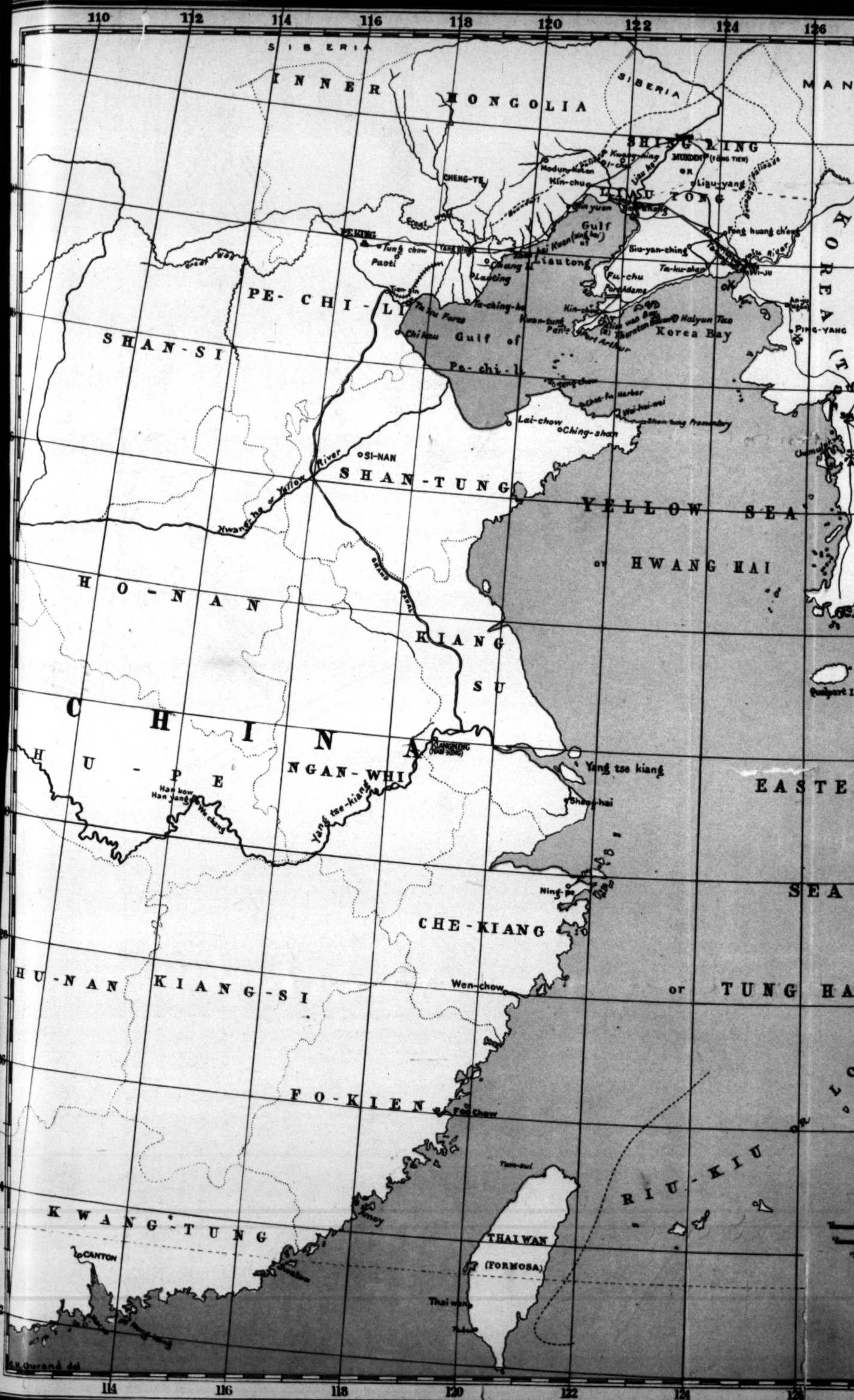
Sir,

Your obedient servant,

Edwin Dun

Enclosure:

Map of Shing King Province.



MILITARY INFORMATION DIVISION, A.G.O.
2ND ISSUE.



KOREA,

EAST CHINA AND JAPAN.

INFORMATION NOTES.

Reference [A] Scene of first battle after sinking of "Kow Shing." [Asan.]
[B] Scene of battle, September 16 and 17, 1894. [Ping-Yang.]
[C] Scene of great naval engagement of modern war vessels, September 17, 1894. [Mouth of Yalu River.]
[D] Scene of battle, October 25, 1894. [Kiu-lien-ch'eng.]
[E] Reported Japanese landing, October 27, 1894. [Talien-wan-Bay.]

Note One.—The road from Wiju to Newchang is a trail, unsuitable for wheels; the first part is mountainous, but the main part through the Manchurian plains intersected by many unbridged streams, and in the summer frequently overflowed.

Port Arthur is a fine natural harbor, though not very extensive, and connected with the sea by a narrow entrance, recently deepened to 24 feet at low water. This port possesses facilities for a naval headquarters and for all kinds of repairs.

Note Two.—Yingtze, the sea-port of Newchang, is situated 13 miles above the bar. It is an excellent harbor, landlocked, with a depth of from 5 to 10 fathoms.

Provisions of all kinds are abundant, with large stores of grain. Coal, of good quality, and firewood can be obtained.

Newchang, the city, is situate in the interior, 27 miles from its port, Yingtze, on the road to and 70 miles from Moukden.

The Liao-Ho is navigable for small junks 205 miles from sea.

Moukden, the capital of the province of Liantong, is 70 miles from Newchang by road, and nearly 100 from Yingtze; by water from latter place 140 miles.

There is a great highway from Peking along the west side of the Gulf of Liantung through Yingtze to Newchang and Moukden.

Another great highway runs down the eastern side of the Gulf, passing through Fuchu, the head of Port Adams, and then along the coast of the Yellow Sea through Ta-ku-shan to Korea.

Note Three.—Shan-hai-kwan, on Gulf of Liantong, situate on the coast at a point where the great Chinese wall and highway road to Peking begins.

Ning-hai, near Shan-hai-kwan, is a walled city 2 miles from the sea, along the west side of the great wall. From Ning-hai runs [along the plain at the foot of the mountains] the highroad to Peking, along which a great traffic exists.

The distance is about 457 li, or 150 English miles. The road is described as being good, and fit for the passage of country carts. As a rule, it passes along the foot of the mountain ranges, though at times it runs over some hills of the great elevation. It does not lead through any woods or forests, though groves of trees exist in its vicinity in certain localities. The road is crossed at intervals by rivers, but none of any size; they are not bridged over but are fordable, except after heavy rains.

Note Four.—Taku, situated at the mouth of the Pei-ho, on the southern side of the river, about 97 miles from Tientsin. There are two anchorages, outer and inner. A line of telegraph was constructed early in 1879 from Taku to Tientsin, and a railway to Tientsin was completed in 1888. Taku is memorable on account of the engagements that have taken place between the forts and the British and French naval forces.

Note Five.—Chefoo, situated on the north side of the Shang-tung promontory, in lat. 37 deg. 32 min. N., and long. 121 deg. 23 min. E. The designation by which it is generally known among foreigners is a misnomer, as the town of Yentai is really the port to which the name has come to be applied.

Chefoo is said to be the healthiest port in China, and in consequently the summer resort of many foreign residents. The harbor is commodious and of considerable depth, but is exposed to strong gales at some seasons of the year.

Note Six.—Wei-Hai-Wei. This port is situated 40 miles east of the Treaty port of Chefoo. The harbor is commodious and affords good holding ground.

2D ASSISTANT SECRETARY
Ack. by Number and File
MAY 13 1895

No. 257.

Legation of the United States,
Tokyo, Japan, April 18, 1895.

INDEX BUREAU
REC'D.
MAY 13 1895
DEPT. OF STATE

Mr. Dun, to the
Secretary of State
Washington, D. C.

Subject:
Confirming telegrams of April
16th and 17th, 1895.

No. 257.

Legation of the United States,
Tokyo, Japan, April 18th, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to enclose herewith copies of my telegrams of April 16th and April 17th, 1895, relating to the signing of a treaty of peace between Japan and China, at Shimonoseki.

1, 2

I have the honor to be,
Sir,
Your obedient servant,
Edwin Dun

Enclosures:

Enclosures:

Copies of two telegrams as above.

Enclosure No. 1, with
Mr. Denis No. 247.

Mr. Dun, to Secretary of State, Washington, D. C., confirming telegram of April 16th, 1895.

" Gresham, Washington, April sixteenth:

It is reported on good authority that treaty of peace was concluded this afternoon. Dun."

Enclosure No. 2, with
Mr. Denis No. 257.

Mr. Dun, to Secretary of State , Washington, D.C., confirming telegram of April I7th , I895.

" Gresham Washington, April seventeenth :

I am informed by Japanese Minister for Foreign Affairs that a preliminary treaty of peace was signed this morning . Indemnity two hundred million taels. All other conditions are the same as in my telegram of fourth April. Dun "

DIPLOMATIC BUREAU
MAY 16 1895

2D ASSISTANT SECRETARY
Ack by subject & file. See also #256
[For. Rels, 1895]
MAY 13 1895

No. 258.

Legation of the United States,
Tokyo, Japan, April 18, 1895.

INDEX BUREAU
REC'D.
MAY 13 1895
DEPT. OF STATE

Rec'd 17th May 95

Mr. Dun. to the
Secretary of State,
Washington, D.C.

Subject:
Conclusion of Peace.

No. 25-8.

Legation of the United States,
Tokyo, Japan, April 18, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

As I had the honor to briefly inform you yesterday the 17th instant by telegraph the negotiations at Shimonoseki have resulted in a treaty of peace between Japan and China. The treaty was signed yesterday morning at ten o'clock. The negotiations were concluded the afternoon of the 16th instant. This result was

was made known to me through a private source that I deemed perfectly reliable. It was this information that induced me to telegraph to you the evening of the 16th instant that," It is reported on good authority that a treaty of peace was "concluded this afternoon". On the following day, the 17th instant, I was authoritatively informed by Viscount Mutsu, by telegraph, through Mr. Hayashi, Vice Minister for Foreign Affairs, that the treaty was signed that morning at ten o'clock. The Viceroy Li Hung Chang with his suite left Shimonseki the same afternoon for Tientsin. I am informed that

that the demands of Japan presented to the Chinese Plenipotentiaries on the 10th instant were accepted. Therefore the terms of the treaty follow those demands which were outlined to you in No. 256, of date the 16th instant. In addition to the concessions made by China in the interest of foreign trade reported to you in that despatch, I understand that several additional Chinese ports are to be opened to foreign commerce. I am informed by Mr. Hayashi that Wei-hai-wei is to be occupied by Japanese troops until the indemnity is paid. Until the treaty has been ratified it

its exact terms and conditions will not be made public.

Thus has ended one of the most remarkable wars of the nineteenth century. It came upon the world as a surprise and its results have startled and bewildered all but the very few who have closely observed and studied the conditions existing in the East. With the signing of the treaty of peace at Shimonoseki the first chapter only of the history of the era in the East begun with the war has been closed. The changed conditions to ensue will be far reaching, not only upon

China

China and Japan, but upon the entire world as well.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

2D ASSISTANT SECRETARY
DIPLOMATIC BUREAU.
ack'by to File
MAY 20 1895

DIPLOMATIC BUREAU.
MAY 20 1895

No. 259.

Legation of the United States,
Tokyo, Japan, April 24, 1895.

INDEX BUREAU
REC'D.
MAY 18 1895
DEPT. OF STATE

Mr. Dun
to the Secretary of State.

Subject:
Report upon the production, etc.
of the precious metals.

No. 257.

Legation of the United States,
Tokyo, Japan, April 24, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:-

Complying with your instruction No. 164, of date January 23, 1895. I have, this day, forwarded to the Director of the Mint a report upon the coinage and production of gold and silver and the movements of the currency in Japan.

I have the honor to be,

Sir.

Sir,

Your obedient servant,

Edwin Dun

TELEGRAM RECEIVED.

From U.S. Legation, Tokio -

April 25, 1895

Received 9.30 A.M.

Gresham

Washington

April 24. Confidential.

French, German and Russian governments informed Japanese government yesterday through their representatives here that the definitive possession of Liautong peninsula by Japan would menace Pekin and render the independence of Corea illusory and constantly disturb the peace of the East. Therefore they advise Japanese Government to renounce definitive possession of peninsula.

Dun.

DIPLOMATIC BUREAU
MAY 28 1895

No. 260.

INDEX BUREAU
REC'D.
MAY 18 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, April 25, 1895.

Rec'd May 24/95

Mr. Dun
to the Secretary of State.

Subject:

An article in the Eastern World on the conduct of foreign representatives in Tokio on the receipt of the news of the taking of Wei-hai-wei.

No. 260.

Legation of the United States,
Tokyo, Japan, April 25, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:-

I have the honor to acknowledge the receipt of your instruction No. 187, of date March 26, 1895, enclosing copy of an article that appeared in The Eastern World at Yokohama on February 9, 1895, stating that, on February 5, 1895, I visited the Foreign Office and complimented H. E. J. Mr. Vice-

Minister

Minister for Foreign Affairs upon the taking of Wei-hai-wei; and that I further went to the Naval Department to congratulate the Vice-Minister of the Navy on the same event, and finding him absent, left my card.

I declare in the most positive and unqualified manner that the statements made in the article referred to above, so far as they relate to me, are absolutely false. I did not go to the Foreign Office, nor to anyother place on February 5, 1895, nor at anyother time, to offer my congratulations or

compliments

compliments upon the taking of Wei-hai-wei, or any other Japanese victory, to the Vice Minister for Foreign Affairs, or to any other person. Recognizing from the beginning of the war the position of my government as one of perfect friendly neutrality towards the belligerents, I have always been most careful not to express, either in my official or private capacity, partiality for either belligerent. I have not knowingly failed in this respect at any time. Realizing the delicate position in which I have been placed as an agent of communication between the governments of Japan and China, absolute

necessity

necessity for the utmost reserve in this regard has been constantly before my mind. In my opinion, it would have been no more out of place had I officially expressed to the Vice-Minister for Foreign Affairs my regrets that Wei-hai-wei had fallen, than to have been guilty of the absurd indiscretion with which I am credited by the editor of The Eastern World.

On the 6th of February, 1895, I accompanied Commander Barber, Naval Attaché of this Legation, who had just arrived in Japan, to the Foreign Office and Naval Department for the purpose of formally

formally presenting him, and in the absence of the Vice-Minister of the Navy, both Commander Barber and I did leave cards for that gentleman.

It is impossible to believe that the editor of <u>The Eastern World</u> was possessed of information of a nature to cause him to believe, even, that the charges made in his article were true, and had he been disposed to verify the truth a falsity of any report he may have heard, the most superficial examination could not have failed to convince him that such report was not true. The conviction is forced upon me that the article in question was not

not written with the desire of informing the public of circumstances believed to be true by the writer, but was animated by a malevolent spirit to injure me in the estimation of my government and of the public.

Until the receipt of your instruction, I had never even heard of the article enclosed therewith. I am not surprised, however, that my attention had not been called to it. The extremely meagre circulation of <u>The Eastern World</u> in Japan easily accounts for any article that appears in that periodical being passed over without comment

or

or notice by the English reading public and the press of this country. However, had my attention been called to the article in question at an earlier day, I should, knowing the source from which it emanated, have deemed it incompatible with the dignity of the office I have the honor to fill to have noticed it in any way whatever.

I have the honor to be,

Sir

Your obedient servant,

Edwin Dun

2D ASSISTANT SECRETARY.
Ack. by Number and File.
MAY 20 1895
DIPLOMATIC BUREAU.
MAY 20 1895

No. 261.

INDEX BUREAU
REC'D.
MAY 18 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, April 26, 1895.

Mr. Dun
to the Secretary of State.

Subject:
Copy of telegram relating to treaty of peace sent to United States Minister at Peking.

No. 261.

Legation of the United States,
Tokyo, Japan, April 26, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:-

I have the honor to enclose herewith copy of a telegram sent to the United States Minister at Peking on the 24th instant.

I have the honor to be,
Sir,
Your obedient servant,
Edwin Dun

Enclosure: Copy of telegram as above.

Enclosure with Mr. Dun's No. 261.

Copy of a cipher telegram transmitted to the American Minister at Peking, April 24th, 1895.

"Tokio, April 24, 1895.

"American Minister, Peking.

"April twenty-fourth. Japanese Government requests you "will inform the Chinese Government that the Emperor of "Japan has ratified the Treaty of Peace in its entirety in "both the Japanese and Chinese texts. Japanese Government "desire to know when the ratification of the Treaty by the "Emperor of China may be expected.

"Dun."

DIPLOMATIC BUREAU

MAY 20 1895

2D ASSISTANT SECRETARY.
Ack & file.
MAY 20 1895

No. 262.

INDEX BUREAU
REC'D.
MAY 18 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, April 26, 1895.

Acd 21 May 95

Mr. Dun
to the Secretary of State.

Subject:
Imperial Rescript issued upon
the conclusion of peace.

No. 262.

Legation of the United States,
Tokyo, Japan, April 26, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:-

I have the honor to enclose herewith a clipping from the "Japan Mail" of the 23rd instant giving a translation of the congratulatory words addressed by the Emperor to Count Ito and Viscount Mutsu, Japanese plenipotentiaries in the late peace conference, and the translation

translation of an Imperial Rescript issued upon the Conclusion of peace.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Enclosure:

Clipping from Japan Mail of 23rd instant.

Enclosure with Mr. Dun's No. 262.

The Japan Daily Mail.

YOKOHAMA, TUESDAY, APRIL 23, 1895.

WAR AFFAIRS.

On the 18th instant, their Excellencies Count Ito and Viscount Mutsu were received in audience by His Majesty the Emperor on their return to Hiroshima. The Emperor addressed the Plenipotentiaries in the following words:—

China having sent to Us an Ambassador to sue for peace, We, recognising the sincerity of her intentions, invested you with full powers to meet and confer with him. You have succeeded, after several days' negotiations, in effecting a definite arrangement, the principal points of which, as just reported to Us by You, are entirely satisfactory and are calculated to materially enhance the prestige of Our Empire. We are highly pleased with the signal services that you have rendered.

Had there been any prospect of the terms obtained by Count Ito and Viscount Mutsu being received with dissatisfaction by political agitators or any other section of the nation, these very explicit words of approval by the Sovereign would effectually obviate such a contingency.

An important and interesting Proclamation has just been issued by the Emperor:—

Convinced that through peace national prosperity is best promoted, and that the preservation of peace is a duty bequeathed to Us by Our Ancestors, it has ever been Our object since Our accession to the Throne to confer lasting advantages upon the realm by the maintenance of tranquillity. Unhappily, a rupture occured last year in Our relations with China, with the result that war was forced upon us, which during the long period of over ten months it was impossible to bring to a termination. During that interval, Our Ministers of State, in concert with Our Army and Navy as well as with both Houses of the Diet, have done everything in their power to further Our aims and fulfil Our instructions. At home nothing has been neglected in the way of elaborating plans, supplying funds and material of war, and perfecting the national defence. Abroad, heedless of storm and tempest, of the biting cold of winter and of the searching heat of summer, Our expeditionary forces have triumphed over all difficulties and hardships, and the Flag of the Rising Sun has been everywhere borne to victory. While, on the one hand, Our soldiers and sailors have earned a reputation for discipline and humanity, the management of the foreign affairs of the realm has, on the other, been characterized by promptitude and sagacity, so that the honour and glory of Our Empire both at home and abroad have been augmented. These happy results are largely due to the illustrious virtues of Our Ancestors, but the successes achieved could not have been so complete had not the disinterested loyalty, valour, and earnestness of Our Ministers of State and all Our subjects contributed to secure them. It is Our earnest desire, with the aid of Our subjects' loyalty and sincerity and by their zealous cöoperation, to restore peace and thereby attain Our great object of promoting the prosperity of this country. Negotiations for peace having now been concluded between the two empires, and an armistice having been proclaimed, the permanent cessation of hostilities is near. China's sincerity in repenting of her breach of faith with Us is already manifest, and the terms of peace negotiated by Our plenipotentiaries give us complete satisfaction. That peace and prestige have thus been secured simultaneously, is attributable to harmonious cöoperation between Our civil and military servants of State. A basis has been restored for working out the grand task bequeathed to Us by Our Ancestors, while, at the same time, the weight of the responsibilities that we have incurred toward them is augmented.

The present is a fitting opportunity to declare to you, Our good subjects, the objects that We keep in view, and to enlighten you as to the course of Our future policy. Gratified as We are that the victories recently obtained by Our arms have enhanced the glory of the Empire, We are nevertheless sensible that the road still to be traversed by the country in its march of civilization is long and arduous, and that the object unceasingly kept in view by Us since Our accession to the Throne remains yet unattained. We therefore hope, in common with Our loyal subjects, to be constantly on the watch against any feeling of self-content, and ever in a spirit of modesty to labour for the perfecting of Our military defences without exceeding the limits of wise economy, and to strive for the promotion of the cause of education and refinement without engendering the vice of effeminacy. It is, briefly, Our wish that Government and people alike should work for the common end, and that Our subjects of all classes should strive, each in his own sphere, to lay the foundation of permanent prosperity and national strength. With regard to plans of military defences and financial adjustment, consequent upon the present war, the duty of adopting proper measures shall be entrusted to Ministers in whom we repose confidence, but in the matter of nursing the nation's resources by constant economy and frugality, we have to rely upon the aid of Our good subjects.

It is hereby definitely announced that our strong displeasure shall be visited upon such as, in the pride of recent victory, offer insults to other States or do injury to our relations with friendly Powers. More especially with regard to China, the exchange of ratifications of the Treaty of Peace shall mark the restoration of friendship between the two Empires, and no endeavours should be spared to develop more than ever relations of neighbourly good-will with her.

It is Our pleasure that all Our good subjects shall respect and observe these Our plainly expressed wishes. (Sign Manual.)

Enclosure with Mr. Dun's No. 262.

The Japan Daily Mail.

YOKOHAMA, TUESDAY, APRIL 23, 1895.

WAR AFFAIRS.

On the 18th instant, their Excellencies Count Ito and Viscount Mutsu were received in audience by His Majesty the Emperor on their return to Hiroshima. The Emperor addressed the Plenipotentiaries in the following words:—

China having sent to Us an Ambassador to sue for peace, We, recognising the sincerity of her intentions, invested you with full powers to meet and confer with him. You have succeeded, after several days' negotiations, in effecting a definite arrangement, the principal points of which, as just reported to Us by You, are entirely satisfactory and are calculated to materially enhance the prestige of Our Empire. We are highly pleased with the signal services that you have rendered.

Had there been any prospect of the terms obtained by Count Ito and Viscount Mutsu being received with dissatisfaction by political agitators or any other section of the nation, these very explicit words of approval by the Sovereign would effectually obviate such a contingency.

An important and interesting Proclamation has just been issued by the Emperor:—

Convinced that through peace national prosperity is best promoted, and that the preservation of peace is a duty bequeathed to Us by Our Ancestors, it has ever been Our object since Our accession to the Throne to confer lasting advantages upon the realm by the maintenance of tranquillity. Unhappily, a rupture occured last year in Our relations with China, with the result that war was forced upon us, which during the long period of over ten months it was impossible to bring to a termination. During that interval, Our Ministers of State, in concert with Our Army and Navy as well as with both Houses of the Diet, have done everything in their power to further Our aims and fulfil Our instructions. At home nothing has been neglected in the way of elaborating plans, supplying funds and material of war, and perfecting the national defence. Abroad, heedless of storm and tempest, of the biting cold of winter and of the searching heat of summer, Our expeditionary forces have triumphed over all difficulties and hardships, and the Flag of the Rising Sun has been everywhere borne to victory. While, on the one hand, Our soldiers and sailors have earned a reputation for discipline and humanity, the management of the foreign affairs of the realm has, on the other, been characterized by promptitude and sagacity, so that the honour and glory of Our Empire both at home and abroad have been augmented. These happy results are largely due to the illustrious virtues of Our Ancestors, but the successes achieved could not have been so complete had not the disinterested loyalty, valour, and earnestness of Our Ministers of State and all Our subjects contributed to secure them. It is Our earnest desire, with the aid of Our subjects' loyalty and sincerity and by their zealous cōoperation, to restore peace and thereby attain Our great object of promoting the prosperity of this country. Negotiations for peace having now been concluded between the two empires, and an armistice having been proclaimed, the permanent cessation of hostilities is near. China's sincerity in repenting of her breach of faith with Us is already manifest, and the terms of peace negotiated by Our plenipotentiaries give us complete satisfaction. That peace and prestige have thus been secured simultaneously, is attributable to harmonious cōoperation between Our civil and military servants of State. A basis has been restored for working out the grand task bequeathed to Us by Our Ancestors, while, at the same time, the weight of the responsibilities that we have incurred toward them is augmented.

The present is a fitting opportunity to declare to you, Our good subjects, the objects that We keep in view, and to enlighten you as to the course of Our future policy. Gratified as We are that the victories recently obtained by Our arms have enhanced the glory of the Empire, We are nevertheless sensible that the road still to be traversed by the country in its march of civilization is long and arduous, and that the object unceasingly kept in view by Us since Our accession to the Throne remains yet unattained. We therefore hope, in common with Our loyal subjects, to be constantly on the watch against any feeling of self-content, and ever in a spirit of modesty to labour for the perfecting of Our military defences without exceeding the limits of wise economy, and to strive for the promotion of the cause of education and refinement without engendering the vice of effeminacy. It is, briefly, Our wish that Government and people alike should work for the common end, and that Our subjects of all classes should strive, each in his own sphere, to lay the foundation of permanent prosperity and national strength. With regard to plans of military defences and financial adjustment, consequent upon the present war, the duty of adopting proper measures shall be entrusted to Ministers in whom we repose confidence, but in the matter of nursing the nation's resources by constant economy and frugality, we have to rely upon the aid of Our good subjects.

It is hereby definitely announced that our strong displeasure shall be visited upon such as, in the pride of recent victory, offer insults to other States or do injury to our relations with friendly Powers. More especially with regard to China, the exchange of ratifications of the Treaty of Peace shall mark the restoration of friendship between the two Empires, and no endeavours should be spared to develop more than ever relations of neighbourly good-will with her.

It is Our pleasure that all Our good subjects shall respect and observe these Our plainly expressed wishes. (Sign Manual.)

&c., &c.

DIPLOMATIC BUREAU
MAY 20 1895

2D ASSISTANT SECRETARY.
Ack. & file.
MAY 20 1895

No. 263.

INDEX BUREAU
REC'D.
MAY 18 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, April 26, 1895.

Ack.
21 May 1895

Mr. Dun
to the Secretary of State.

Subject:
France, Germany and Russia object to the occupation of the Liaotung Peninsula by Japan.

No. 268.

Legation of the United States,
Tokyo, Japan, April 26, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir-

I have the honor to enclose herewith the reading of my cipher telegram to you, of date the 24th instant, informing you of the action taken by the French, German and Russian Governments, through their representatives in Japan, in regard to the definitive possession by

by Japan of the Liautong peninsula, as provided for in the treaty of peace concluded at Shimonoseki on the 17th instant.

The information contained in my telegram was communicated to me verbally and confidentially on the 24th instant by Mr. Hayashi, H. I. J. Mis. Vice Minister for Foreign Affairs. He informed me that the French, German and Russian Ministers had visited him at the Foreign Office the day before,— the 23rd instant—, and had read to him the declarations from their

governments

governments which, although different in wording, were the same in meaning. No reply has yet been made by Japan to the representatives of the three governments.

The situation is very grave inasmuch as the Japanese Government is, in my opinion, placed in an extremely embarrassing position. If the wishes of the three European powers are acceded to, the hostility of the military party in Japan to the arrangement may prove difficult to control; and it would seem that those wishes

cannot

cannot be disregarded without incurring danger of the most disastrous consequences.

As I shall continue to keep you informed by telegraph of all that takes place here that I deem of sufficient importance to warrant the use of that means of communication, it would be out of place and useless to speculate in this despatch on coming political events in the East that are to be, seemingly, influenced and shaped by conflicting European interests.

The representation of the three powers has not yet been made

Brown

known to the public here and the government has evidently adopted stringent measures to prevent comment by the vernacular press upon what little is known & conjectured in connection with the matter. Two of the most influential papers in Tokyo, the Nichi Nichi Shimbun and the Jiji Shimpo, were suspended yesterday for, it is reported, publishing a telegram from London stating that the British Government had declined to join France, Germany and Russia in a naval demonstration in the East and in putting pressure upon Japan in consequence of the terms

terms of that Country's treaty of peace with China.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Enclosure:

Telegram to the Secretary of State, April 24th. - Copy.

Enclosure with Mr. Dun's No. 263.

Copy of a cipher telegram transmitted to the Secretary of State, April 24, 1895.

"Tokio, April 24, 1895.

"Gresham, Washington.

"April twenty-fourth. Confidential. French "German and Russian Governments informed Japanese Government "yesterday through their representatives here that the "definitive possession of Liautong peninsula by Japan would "menace Peking and render the independence of Korea illusory "and constantly disturb the peace of the East, Therefore they "advise Japanese Government to renounce definitive "possession of peninsula.

"Dun."

TELEGRAM RECEIVED. Cipher

From Tokio

May 2, 1895

Received M.

Gresham

Washington

DIPLOMATIC BUREAU MAY 4 1895

Confirmed May 4/95

May second. Yesterday Japanese Government replied to representation of European powers to the effect that if the honor of Japan is satisfied by the exchange of the ratifications of the Treaty, Japan will immediately afterwards renounce definitive possession of all the Liaotong Peninsula, with the exception of Port Arthur and Ta-lien-wan, provided the indemnity is increased to compensate Japan for territory relinquished.

Denn.

TELEGRAM RECEIVED. Cipher

From Tokyo

May 7, 1895.

Gresham

Received M.

Washington.

Confirmed May 9, 95

May sixth. All the demands of European Powers relative to possession of Liaotong peninsula acceded to by Japan.

Dun.

TELEGRAM RECEIVED.

Secretary of State. MAY 10 1895

DIPLOMATIC BUREAU MAY 10 1895

From Tokyo

May 9, 1895

Gresham

Washington.

Received M.

Confirmed May 13/15

May eighth. Exchange of the ratifications of the Treaty of Peace between Japan and China took place to-day at Chefoo.

Dun.

No. 264.

DIPL. JUN 3 1895

Acd 4 June 95

INDEX BUREAU
RECD.
JUN 3 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, May 9, 1895.

Mr. Dun
to the Secretary of State.

Subject:
The Kiaotung Incident.

No. 264.

Legation of the United States.

Tokyo, Japan, May 9, 1895.

Honorable W. Q. Gresham,

Secretary of State,

Washington, D. C.

Sir:

In my No. 263, of date April 26, 1895, I had the honor to confirm my telegram of date April 24, 1895, relative to the action taken by France, Germany and Russia in regard to the definitive possession by Japan of the Liaotung Peninsula. On May the 2nd instant I telegraphed you that on the previous day (May 1st) Japan had replied to the representation

of

of the three powers" to the effect
"that if the honor of Japan is satis-
"fied by the exchange of the ratifications
"of the treaty [the treaty signed at Shimo-
"noseki, April 17, 1895.] Japan will
"immediately afterwards renounce
"definitive possession of all the Lia-
"tong peninsula with the exception of
"Port Arthur and Talienwan, provided
"the indemnity is increased to compen-
"sate Japan for the territory relinquished.
This information was communicated to
me on the 2nd instant at the For-
eign Office by Mr. Hayashi, Vice-
Minister for Foreign Affairs. On the
3rd or 4th instant this proposal on the
part of Japan for an arrangement
of the matter was rejected by the three
powers as unsatisfactory, and, I
am

am informed, their representation of the 23rd of April was repeated in terms that were considered equivalent to a demand by the Japanese Government. On the 5th instant, as I informed you in my telegram of the 6th instant, Japan acceded unconditionally to the wishes of the three powers as expressed in their representation. This action on the part of Japan was entirely unexpected in Tokyo. As it became known the surprise manifested was general. It seems that even the representatives of the three powers most interested had hardly expected a diplomatic victory so easy and complete. So far as I can learn the feeling among the military

military and political classes of Japanese is one of bitter humiliation and of resentment against the power believed to be primarily responsible for the interference. The action of the Cabinet is generally condemned as precipitate and weak. It is said that even had it been found necessary to yield ultimately to the overwhelming pressure that the three powers could have brought to bear that the time had not yet come when diplomatic means of resistance were exhausted. In fact it is claimed that the Government surrendered its position without even a diplomatic struggle to maintain it. At the same time it is very evident that the business men of Japan and the great mass

mass of the common people are heartily tired of the war and greatly fear any complication that might lead to trouble with European powers. They are perfectly satisfied with what Japan has gained without the Liaotung peninsula, and, in fact, look upon the permanent possession of that territory as a constant source of danger and expense. Careful inquiry during the past few days among Japanese business men has convinced me that the great mass of the Japanese people are happy and contented with the restoration of peace, and do not look upon the prestige lost, in the abandonment of the Liaotung peninsula, as a serious loss when the advantages gained are considered.

Comment

comment upon the situation by the vernacular press is strictly forbidden. The principal papers of Tokyo in referring to it are very moderate in tone. They counsel patience on the part of their readers, and the acceptance, without undignified and useless clamour, of a situation which, in their opinion, has been wrongfully forced upon them by overwhelming power.

In consequence of the Liaotung incident it is generally believed that the personnel of the Cabinet will be greatly, if not entirely, changed before the Diet meets again.

As I understand the arrangement between Japan and the three powers, the Liaotung peninsula

peninsula is not to be evacuated by the Japanese forces until the terms of the treaty concluded at Shimonoseki, April 17, 1895, are fulfilled.

I have the honor to be

Sir,

Your obedient servant,

Edwin Dun

DIPLOMATIC BUREAU
JUN 3 1895

2D ASSISTANT SECRETARY
Ack + file.
JUN 3 1895

No. 265.

INDEXED & FILED
RECD
JUN 1 1895
DEPT OF STATE

Legation of the United States,
Tokyo, Japan, May 9, 1895.

Rec'd June 9 95

Mr. Dun
to the Secretary of State.

Subject:
Ratifications of the treaty of peace exchanged at Chefoo, China.

No. 265.

Legation of the United States.

Tokyo, Japan, May 9, 1895.

Honorable W. Q. Gresham,

Secretary of State,

Washington, D. C.

Sir:

As I had the honor to inform you by telegraph the satisfactions of the treaty of peace between Japan and China signed at Shimonoseki April 17, 1895, were exchanged at Tokyo, China, yesterday. Until Mr. Denby's telegram of the 8th instant

(see enclosure with my No. 267),

over

was received, much uneasiness was felt for fear this final act completing the treaty should not be carried out. For a better understanding of what has recently taken place in connection with the exchange of ratifications, I beg to refer you to the telegrams which have passed between Mr. Denby and myself in regard to the matter, copies of which are enclosed with my No. 267 of this date.

The news of the restoration of peace will be hailed with gladness by the great

mass

mass of the Japanese people.

As I had the honor to report to you in my No. 264, the have evidently become heartily tired of the war and begun to consider with dread the possible complications with other powers that might result from it.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

DIPLOMATIC BUREAU
JUN 3 1895

2D ASSISTANT SECRETARY.
Ack. by Number and File.
aab
JUN 3 1895

No. 266.

INDEX BUREAU
RECD.
JUN 3 1895
DEPT. OF STATE

Legation of the United States

Tokyo, Japan, May 9, 1895.

Mr. Dun

to the Secretary of State,

Subject:

Precautionary measures taken by Japanese Government to protect foreign representatives.

No. 266.

Legation of the United States,
Tokyo, Japan, May 9, 1895.

Honorable W. Q. Greshams
Secretary of State,
Washington, D. C.

Sir:-

Since the representation of the three powers relative to the possession of the Liaotong peninsula was made, the Japanese police authorities have taken extraordinary precautionary measures to guard the foreign representatives in Japan against fanatics. The usual guard near the Legation has

been

been increased and wherever we go we are followed by officers in citizens clothes;- when we travel by train a special car is provided for us.

The precautions taken are certainly unnecessary in regard to most of the representatives, but they are perhaps prudent and wise in respect to others.

I have the honor to be,

Sir

Your obedient servant,

Edwin Dun

R

No. 267.

2D ASSISTANT SECRETARY
Ack by No. & file.
JUN 3 1895

DIPLOMATIC BUREAU
JUN 3 1895

INDEX BUREAU
RECD.
JUN 3 1895
DEPT. OF STATE

Legation of the United States.

Tokyo, Japan, May 9, 1895.

Mr. Uhl

to the Secretary of State.

Subject:

Enclosing Copies of Telegrams.

No. 267.

Legation of the United States.
Tokyo, Japan, May 9, 1895.

Honorable W. Q. Gresham,
Secretary of State.
Washington - D. C.

Sir:-

I have the honor to enclose herewith copies of telegrams as follows:

1/ Mr. Allen to Secretary of State, May 2, 1895.

2/ Mr. Allen to Secretary of State May 6, 1895.

3/ Mr. Allen to Secretary of State, May 8, 1895.

Mr. Allen to

4/ Mr. Denby, Peking to Mr. Olney
May 1, 1896.

5/ Mr. Denby to Mr. Olney, May 1, 1896-
6/ " " " " ", May 7, "
7/ " " " " ", May 7, "
8/ " " " " ", May 8, "
9/ Mr. Olney to Mr. Denby, May 2, 1896-
10/ " " " " ", May 3, "
11/ " " " " ", May 7, "
12/ " " " " ", May 8, "
13/ Viscount Fontaine to Mr. Olney, May 2, 1896
14/ " " " " May 8, "

I have the honor to be,
Sir,
Your obedient servant,
Edwin Dun

Enclosures:

Readings of fourteen telegrams as above.

Encl. 1 with Mr. Dun's No. 267.

Copy of a cipher telegram transmitted to the Secretary of State, May 2nd, 1895.

"Tokio, May 2, 1895.

"Gresham, Washington.

"May second. Yesterday Japanese Government replied to "the representation of European powers to the effect that "if the honor of Japan is satisfied by the exchange of the "ratifications of the treaty, Japan will immediately after- "wards renounce definitive possession of all the Liautong "peninsula with the exception of Port Arthur and Talienwan, "provided the indemnity is increased to compensate Japan for "territory relinquished.

"Dun."

Encl. 2. with Mr. Dun's No. 267.

Copy of a cipher telegram transmitted to the Secretary of State, May 6th, 1895.

"Tokio, May 6, 1895.

"Gresham, Washington.

"May sixth. All the demands of European powers relative to "possession of Liaotong peninsula acceded to by Japan.

"Dun."

Encl. 3 with mr. Dun's No. 267.

Copy of a cipher telegram transmitted to the Secretary of State, May 8th, 1895.

"Tokio, May 8th, 1895.

"Gresham, Washington.

"May eighth. Exchange of ratifications of the treaty of "peace between Japan and China took place to-day at Chefoo.

"Dun."

Encl. 4 with Mr. Denis No. 267.

Copy of a cipher telegram received from the United States Minister at Peking, May 2, 1895.

"Peking, May 1, 1895.

"American Minister, Tokio.

"May first. You will please communicate the following to the "Government of Japan:-

"The twenty-fifth of April I received your telegram of April "twenty-fourth. I immediately sent it and the translation "thereof to the Tsung Li Yamen. I received in reply the "following communication dated April twenty-eighth:-

"We have had the honor to receive Your Excellency's note "wherein you ask when the ratification of the treaty of peace "and amity with Japan may be expected and to favor you with a "reply to the end that you may telegraph to the Government "of Japan. We may state that this treaty was transmitted by an "officer deputed by the Plenipotentiary Li to the Grand Coun- "cil to be presented to the Emperor for His Majesty's inspect- "ion. It has not yet been sent down by the Emperor. When it "is ratified and issued we will at once inform Your Excellency

" I then represented to the Yamen that this note was "addressed to me and that it ought to request me to forward "the communication to the Government of Japan as coming from "the Government of China and I asked that if it was desired "that I should telegraph the contents of the paper to the "Government of Japan that the request should be stated "directly and positively as I was only a channel of

"communication

"communication and could wire nothing in my own name. This "day I have received from the Yamen a communication reciting "the substance of the correspondence and concluding as follows:

" With reference to the treaty it has not yet been sent "down from the Emperor. We beg that Your Excellency will "telegraph the Yamen's former note of April twenty-eighth to "Japan.

" Denby."

Enclosure 5 with Mr. Dun's No. 267.

Copy of a cipher telegram received from the United States Minister at Peking, May 2, 1895.

"Peking, May 1, 1895.

"American Minister, Tokio.

"May first . Chinese Government requests me to telegraph to the "Government of Japan the following:-

"It is learned that Russia, France and Germany have conferred "with Japan about changing new treaty between China and Japan. "It is necessary to wait until the matter has been decided "upon. The eighth of May for the exchange of the ratifications "of the treaty is a very short time and it is proposed that "the time be extended for ten and more days for the ratifica- "tion to take place. It is hoped that this will be sent by "wire for the consideration of Japan. Awaiting an answer.

"Denby."

Encl. 6 with Mr. Dun's No. 267.

Copy of a telegram received from the United States Minister at Peking, May 8th, 1895.

"Peking, May 7. 1895.

"American Minister, Tokio.

"May seventh. Japanese Envoy reached Chefoo this morning.

"Iwired Consular Agent to show him every facility. Chinese

"Envoys arrived yesterday. Yamen wired you yesterday asking

"that exchange of ratifications be postponed. No answer yet.

"Have wired Consul as to arrangement made for Japanese Envoy.

"Denby."

Encl. 7 with Mr. Dun's No. 267.

Copy of a telegram received from the United States Minister at Peking, May 8th, 1895.

"Peking, May 7, 1895.

"American Minister, Tokio.

"May seventh. The Chinese Government request the United States "Minister to telegraph the following to the Japanese Govern- "ment:- Some time ago China proposed that the time be "extended for the exchange of ratifications of the treaty and "requested the United States Minister to telegraph this for "the consideration of the Japanese Government. A reply was "received from Japan that the Japanese Government knew of no "circumstance which rendered a postponement of the ratifica- "tion of the treaty of peace necessary and that no delay "should take place in the ratifications. China has deputed "two officers with full powers to go to Chefoo to await "exchange of ratifications but during the last few days "Russia, France and Germany have several times asked for an "extension of time for exchange of ratifications and action "to be taken on receiving their reply. But up to the present "no reply has been received from these powers. As these three "powers have for a long time been friendly with China it is "not convenient to thwart their wishes to arrange the matter "further . When Japan telegraphed she stated that there was "no circumstance which rendered a postponement of the "exchange of ratifications, but it is learned that there is a "modus operandi of discussing the Liaotung question which make

"the

"the conditions of affairs different to those some time ago.
"To wait until ratifications are exchanged and then make
"modifications it would seem would not be as well as a
"satisfactory negotiation taking place before the exchange of
"ratifications. China therefore again asks the Minister of
"the United States to at once telegraph the Japanese Govern-
"ment to give way to China on account of the three powers
"asking China to wait their reply before ratifications take
"place. Japan is therefore asked to extend the time for
"the exchange of ratifications and also the armistice in the
"hope that China may have time to settle the question .
"China waits the Japanese Government's consideration of the
"question and speedy reply. China has instructed the officers
"appointed to exchange ratifications to wait at Chefoo and
"asks Japan to telegraph to the officer she has appointed to
"exchange ratifications to act in like manner.

"Denby.""

Encl. 8 with Mr. Dun's No. 267.

Copy of a telegram received from the United States Minister at Peking, May 8th, 1895.

"Peking, May 8, 1895.

"American Minister, Tokio.

"May eighth. The Chinese Government requests me to communicate "the following to the Japanese Government:-

"The Chinese Government received to-day the reply of the three "powers and have at once telegraphed Wu Ting Fong and Lien "Fang, the Chinese Envoys appointed, instructing them to "exchange ratifications of the treaty at the time fixed.

"The telegram of the Chinese Government sent yesterday asking "extension of time need not be considered. China has made "suitable arrangements for the reception of the Japanese "Envoy.

"Denby."

Enclosure 9 with Mr. Dun's No. 267.

Copy of a telegram transmitted to the United States Minister at Peking, May 2, 1895.

"Tokio, May 2, 1895.

"American Minister, Peking.

"May second. Ito Miyoji, Chief Secretary of the Cabinet and "Japan's Plenipotentiary to exchange ratifications of the "treaty leaves for Chefoo to-day. You are requested by "Japanese Government to instruct United States Consul at "Chefoo to afford Mr. Ito every facility in his correspondence "with Chinese officials.

"Dun."

Encl. 10 with Mr. Dun's No. 267.

Copy of telegram transmitted to the United States Minister at Peking, May 3rd, 1895.

"Tokio, May 3, 1895.

"American Minister, Peking.

"May third. In reply to your cipher telegram of May first the "Japanese Government request you to communicate the following "to Chinese Government:- The Japanese Government know of no "circumstances which render a postponement of the exchange "of the ratifications of the treaty of peace necessary. On "thecontrary it is absolutely essential in order to bring "about restoration of peace that no delay should take place "in the matter of the exchange of ratifications. If in "consequence of representations of Russia, France and Germany "it should be found to be desirable to introduce modifications "into the treaty, that can be arranged much easier after "ratifications have been actually exchanged than before, as "is the rule in such cases. His Excellency Ito Miyoji has been "appointed plenipotentiary to exchange ratifications. He is "now en route and will arrive at Chefoo before the date "fixed for the exchange of ratifications.

"Dun."

Encl. 11 with Mr. Dun's No. 267.

Copy of a telegram transmitted to the United States Minister at Peking, May 7th, 1895.

"Tokio, May 7, 1895.

"American Minister, Peking.

"May seventh. Japanese Government requests you will ascertain "from American Consul Chefoo whether Japanese Plenipotentiary "has arrived and if suitable arrangements have been made "for his reception and if he has been met by Chinese Plenipo- "tentiary. Japanese Government also desire to be informed "at once regarding exchange of ratifications.

"Dun."

Encl. 12 with Mr. Dun's No. 267.

Copy of a telegram transmitted to the United States Minister, Peking, May 8th, 1895.

"Tokio, May 8, 1895.

"American Minister, Peking.

"May eighth. You are requested by Japanese Government to "communicate to Chinese Government the following:-

"Japanese Government received telegram from Minister Denby "dated seventh May containing request of China for delay in "exchange of ratifications. In reply Japan informs China that "since Japan has already accepted the recommendation of "Russia, France and Germany not to permanently occupy the "Liaotong peninsula she has no doubt that these three powers "will be entirely satisfied. But as arrangement necessary for "renouncement of that peninsula requires fresh negotiations "between the two Governments and as such negotiations will "take time Japanese Government insist that exchange of "ratifications should take place first without delay, leaving "modifications of treaty and necessary arrangement therefor "to subsequent adjustment. In view of the fact however that "the date for exchange is almost at an end and also that "renewal of hostilities is detrimental to the best interests "of both countries Japanese Government consent to extend date "for the termination of the armistice by five days and "exchange of ratifications should take place as early as "possible before the expiration of the armistice.

"Dun."

Enclosure /3 with Mr. Dun's No. 267.

Copy of a telegram received from H. I. J. M's Minister for Foreign Affairs May 2nd, 1895.

"Kioto, May 2, 1895.

"His Excellency American Minister, Tokio.

"I beg to request that you will kindly wire Mr. Denby the "following reply to Chinese Government as soon as possible. "It need not be put in cipher. The Japanese Government know "of no circumstances which render a postponement of the ex- "change of ratifications of the treaty of peace necessary. On "the contrary it is absolutely essential in order to bring "about restoration of peace that no delay should take place "in the matter of the exchange of ratifications. If in conse- "quence of representations of Russia, France and Germany it "should be found desirable to introduce modifications into the "treaty, that can be arranged much easier after ratifications "have been actually exchanged than before as is the rule in "such cases. His Excellency Ito Miyoji has been appointed "plenipotentiary to exchange ratifications. He is now en route "and will arrive at Chefoo before the date fixed for the "exchange of ratifications.

"Mutsu. "

Enclosure/4 with Mr. Dun's No. 267.

Reading of a telegram received from H. I.J. M's Minister for Foreign Affairs May 8th, 1895.

"Kioto, May 8, 1895.

"His Excellency American Minister, Tokio.

"Please wire Mr. Denby the following reply to Chinese Govern-
"ment as soon as possible:- Japanese Government received
"telegram from Minister Denby dated seventh May containing
"request of China for delay in exchange of ratifications. In
"reply Japan informs China that since Japan has already
"accepted the recommendation of Russia , France and Germany
"not to permanently occupy the Liaotong peninsula she has no
"doubt that these three powers will be entirely satisfied, but
"as arrangement necessary for renouncement of that peninsula a
"requires fresh negotiations between the two Governments, and
"as such negotiations will take time, Japanese Government
"insist that exchange of ratifications should take place first
"without delay leaving modifications of the treaty and
"necessary arrangement therefor to subsequent adjustment. In
"view of the fact however that the date for exchange is
"almost at an end and also that renewal of hostilities is
"detrimental to the best interests of both countries, Japanese
"Government consent to ext end date for termination of the
"armistice by five days and exchange of ratifications should
" take place as early as possible before the expiration of the
"armistice.

"Mutsu."

2D ASSISTANT SECRETARY.
Send duplicate copy
JUN 3 1895
DIPLOMATIC BUREAU
JUN 3 1895

No. 268.

Duplicate
Sent June 5/95

INDEX BUREAU
REC'D.
JUN 3 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, May 9, 1895.

Mr. Dun
to the Secretary of State.

Subject:
Instruction No. 186 has not been received.

No. 268.

Legation of the United States,
Tokyo, Japan, May 9, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to inform you that the Department's instruction No. 186 has not been received as yet at this Legation, and as I have received numbers up to 193 I fear there has been some error in numbering the instructions & that the one in question has gone astray.

I have the honor to be,
Sir,
Your

Acknowledged Dec 23d.

Sir,

Your obedient Servant,

Edwin Dun

2D ASSISTANT SECRETARY.
Ack. by Number and File.
JUN 7 1895

No. 269.

INDEX BUREAU
REC'D.
JUN 7 1895
DEPT OF STATE

Legation of the United States,
Tokyo, Japan, May 14th, 1895.

DIPLOMATIC BUREAU.
JUN 7 1895

Mr. Dun
to the Secretary of State.

Subject:
Copy of telegram to Mr. Denby,
May 13th, 1895.

No. 269.

Legation of the United States
Tokyo, Japan, May 15, 1895.

Honorable W. Q. Gresham,
Secretary of State
Washington, D. C.

Sir:

I have the honor to enclose herewith copy of a telegram transmitted to Mr. Denby, United States Minister at Peking on the 13th instant.

I have the honor to be,
Sir,
Your obedient servant.
Edwin Dun

Enclosure:
Copy of telegram as above.

Enclosure with Mr. Dun's No. 269.

Copy.

"Tokio, May 13, 1895.

"American Minister, Peking.

"May thirteenth. Japanese Government requests you to "communicate to Chinese Government the following:-

"The Japanese Government announce to the Chinese Govern- "ment that His Excellency Admiral Viscount Kabayama Sukenori "who has been appointed by His Majesty the Emperor of Japan "Governor of Formosa, Pescadores and their dependencies has, "in addition been authorized to act as sole commissioner of "Japan under last paragraph, article five of treaty of "Shimonoseki and that His Excellency the Governor will arrive "at his post of duty in about two weeks time and will upon "arrival be prepared to perform the special services confined "to him. The Japanese Government hope that the Chinese Govern- "ment will at once appoint Chinese commissioner or commiss- "ioners to meet His Excellency the Governor and that Chinese "Government will inform the Japanese Government of the names "and rank of the commissioners appointed.

"Dun.

2D ASSISTANT SECRETARY.
Ack. by Number and File.
aab
JUN 7 1895

No. 270.

Legation of the United States,
Tokyo, Japan, May 18, 1895.

INDEX BUREAU
RECD.
JUN 7 1895
DEPT. OF STATE

DIPLOMATIC BUREAU
JUN 7 1895

Mr. Dun

to the Secretary of State.

Subject:

Negotiations between European Powers and Japan relative to the Liaotung Peninsula.

No. 270.

Legation of the United States,
Tokyo, Japan, May 10, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I am in receipt of information
from a source entitled to consideration
that leads me to believe that
I am not yet fully acquainted
with the history of the negotiations
between the three European Powers
and Japan relative to the
renunciation by the latter of the
permanent possession of the

Liaotung

Liaotung peninsula. Owing to the illness of Viscount Mutsu, H. I. J. Ms. Minister for Foreign Affairs, I have been unable to ask him if he was disposed to enlighten me in regard to points connected with the negotiations of which I have as yet received no authentic information. When Viscount Mutsu is sufficiently recovered to receive me, I shall seek an interview and ask him for such information as he may feel disposed to impart.

Until then, I deem it best not to burden the Department with reports that may prove

to

No. 270 II

to be incorrect.

I have the honor to be,

Sir,

Your obedient Servant,

Edwin Dun

2D ASSISTANT SECRETARY.
Ack & file.
[For. Rel. 1895.] abb
JUN 7 1895

No. 271.

Legation of the United States,
Tokyo, Japan, May 18, 1895.

INDEX BUREAU
REC'D.
JUN 7 1895
DEPT. OF STATE

DIPLOMATIC BUREAU
JUN 7 1895

Ack.d
8th Desp.

Mr. Dun

to the Secretary of State.

Subject:

Imperial message to the Army and Navy.

No. 271.

Legation of the United States.
Tokyo, Japan, May 18, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose herewith translation copy of an Imperial Message, dated the 18th instant, addressed to the Army and Navy of Japan.

I have the honor to be,
Sir,
Your obedient servant,
Edwin Dun

Enclosure as above.

Enclosure with Mr. Dun's No. 271.

IMPERIAL RESCRIPT.

The following Rescript, addressed to the soldiers and sailors of the Empire, was issued on the 13th instant:—

Our beloved soldiers and sailors: when in the 15th year of *Meiji* the system of organization of the army and the navy was perfected, We, who hold the supreme command of the Army and the Navy, laid down five points which you as warriors ought to observe with all your strength, and We proclaimed to you that loyal, courteous, brave, upright, and frugal, you ought to be permeated with undivided sincerity.

That We were very earnest in Our instructions to you was because We relied on you as Our main pillars.

Since then tranquillity had reigned over the domain for more than ten years. When, however, last year, war broke out with China, you rose up at one word from Us, and endured the sultry heat of summer, and braved the icy cold of winter. Those who stayed behind devoted themselves to securing the safety of the Empire at home; while those who were despatched abroad undertook the arduous task of marching upon and attacking the enemy. The result has been that both by land and by sea a glorious success, never exampled before, has been achieved, thereby accomplishing the object of the war, and displaying the glory of the Empire to the four seas.

We are highly satisfied to see that the Imperial Army and Navy have arrived at such a state of efficiency, and we appreciate at the same time that you, ever keeping in view the five points aforesaid, have disregarded your lives in order to fulfil our orders, and have admirably discharged the duties incumbent upon you as the main pillars of Our State. As to those who fell dead in battle or died of disease, and those that have been disabled, We deeply appreciate their patriotism and sympathize with their lot.

We have concluded peace with China, and are about to share with you the felicity of peace. But We think that the enhanced honour of the Army and Navy and the glory of the Empire have added weight to your duties and responsibilities. Desirous as we are, now that the Imperial glory has been augmented, to enjoy and share with you the honour of the Empire, we cannot but perceive that the future destiny of the State is as yet undeveloped; and we therefore enjoin on you, whether you remain in the respective services or are disbanded and go home, to obey faithfully Our instruction, to keep always in view the five articles, and to observe the duties of warriors, so as to discharge with the utmost sincerity on any necessary future occasion the duties that you owe to the Empire.

No. 272. COPIED. FOREIGN RELATIONS.

Legation of the United States,
Tokyo, Japan. May 16, 1895.

INDEX BUREAU
REC'D.
JUN 1895
DEPT. OF STATE

Rec'd 8th June 95 Mr

DIPLOMATIC BUREAU
JUN 7 1895

Encl. to Library May 15, 1896

Mr. Dun

to the Secretary of State.

Subject:

Treaty of peace between Japan and China.

No. 272

Legation of the United States,
Tokyo, Japan, May 16, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir-

I have the honor to enclose
1. / two copies, in the Japanese text, of the treaty of peace between Japan and China concluded at Shimonoseki, April 17, 1895, together with the official English translation of the same.

Annexed to the Japanese text of the treaty herewith there

is

is a protocol, which does not appear in the English translation, to the effect that, in order to prevent future misunderstanding, whenever a difference of interpretation arises between the Japanese and Chinese texts of the treaty, the English translation thereof, which shall have the same signification as the Japanese and Chinese texts of the said treaty, shall govern. A translation of the protocol is herewith enclosed. 2/

In connection with the treaty I also enclose a translation of the Ratification

3/ "Ratification" of the treaty by
the Emperor of Japan and
the translation of an Imperial
4/ Rescript, dated May 13, 1895, and
published in the "Official
Gazette" on the 13th instant,
stating Japan's reasons for
complying with the representa-
tion of Russia, France and
Germany relative to the
renunciation of the permanent
possession of the Liaotung
peninsula and also announcing
to the people of Japan that
the exchange of ratifications
of the treaty of peace con-
cluded at Shimonoseki had
taken

taken place.

I have the honor to be,
Sir,
Your obedient servant,
Edwin Dun

Enclosures:
1. 2 copies of Treaty of Peace
2. Protocol, Translation
3. Ratification by Emperor, Translation.
4. Imperial Rescript, Translation.

His Majesty the Emperor of Japan and His Majesty the Emperor of China, desiring to restore the blessings of peace to their countries and subjects and to remove all cause for future complications, have named as their Plenipotentiaries for the purpose of concluding a Treaty of Peace, that is to say:

His Majesty the Emperor of Japan, Count Ito Hirobumi, Junii, Grand Cross of the Imperial Order of Paullownia, Minister President of State, and Viscount Mutsu Munemitsu, Junii, First Class of the Imperial Order of the Sacred Treasure, Minister of State for Foreign Affairs;

And His Majesty the Emperor of China, Li Hung-Chang, Senior Tutor to the Heir Apparent, Senior Grand Secretary of State, Minister Superintendent of Trade for the Northern Ports of China, Viceroy of the Province of Chihli and Earl of the First Rank, and Li Ching-Fong, Ex-Minister of the Diplomatic Service, of the Second Official Rank;

Who, after having exchanged their Full Powers, which were found to be in good and proper form, have agreed to the following Articles:

ARTICLE I.

China recognizes definitively the full and complete independence and autonomy of Corea, and in consequence, the payment of tribute and the performance of ceremonies and formalities by Corea to China in derogation of such independence and autonomy, shall wholly cease for the future.

ARTICLE II.

China cedes to Japan in perpetuity and full sovereignty, the following territories together with all fortifications, arsenals and public property thereon:

a)—The southern portion of the Province of Fêng-Tien within the following boundaries:

The line of demarcation begins at the mouth of the River Yalu and ascends that stream to the mouth of the River An-ping; from thence the line runs to Fêng Huang; from thence to Haicheng, from thence to Ying Kow, forming a line which describes the southern portion of the territory. The places above named are included in the ceded territory. When the line reaches the River Liao at Ying Kow it follows the course of that stream to its mouth where it terminates. The mid-channel of the River Liao shall be taken as the line of demarcation.

This cession also includes all Islands appertaining or belonging to the Province of Fêng-Tien situated in the eastern portion of the Bay of Liao-Tung and in the northern part of the Yellow Sea.

b)—The Island of Formosa together with all Islands appertaining or belonging to the said Island of Formosa.

c)—The Pescadores Group, that is to say, all Islands lying between the 119th and 120th degrees of longitude east of Greenwich and the 23rd and 24th degrees of north latitude.

ARTICLE III.

The alignments of the frontiers described in the preceding Article, and shown on the annexed Map, shall be subject to verification and demarcation on the spot, by a Joint Commission of Delimitation, consisting of two or more Japanese and two or more Chinese Delegates to be appointed immediately after the exchange of the ratifications of this Act. In case the boundaries laid down in this Act are found to be defective at any point, either on account of topography or in consideration of good administration, it shall also be the duty of the Delimitation Commission to rectify the same.

The Delimitation Commission will enter upon its duties as soon as possible and will bring its labors to a conclusion within the period of one year after appointment.

The alignments laid down in this Act, shall, however, be maintained until the rectifications of the Delimitation Commission if any are made, shall have received the approval of the Governments of Japan and China.

ARTICLE IV.

China agrees to pay to Japan as a war indemnity, the sum of 200,000,000 Kuping Taels. The said sum to be paid in eight instalments. The first instalment of 50,000,000 taels, to be paid within six months, and the second instalment of 50,000,000 taels to be paid within twelve months, after the exchange of the ratifications of this Act. The remaining sum to be paid in six equal annual instalments as follows: The first of such equal annual instalments to be paid within two years; the second within three years; the third within four years; the fourth within five years; the fifth within six years, and the sixth within seven years, after the exchange of the ratifications of this Act. Interest at the rate of 5 per centum per annum shall begin to run on all unpaid portions of the said indemnity from the date the first instalment falls due.

China shall, however, have the right to pay by anticipation at any time any or all of said instalments. In case the whole amount of the said indemnity is paid within three years after the exchange of the ratifications of the present Act, all interest shall be waived and the interest for two years and a half or for any less period if then already paid shall be included as a part of the principal amount of the indemnity.

ARTICLE V.

The inhabitants of the territories ceded to Japan, who wish to take up their residence outside the ceded districts, shall be at liberty to sell their real property and retire. For this purpose a period of two years from the date of the exchange of the ratifications of the present Act, shall be granted. At the expiration of that period those of the inhabitants who shall not have left such territories shall at the option of Japan, be deemed to be Japanese subjects.

Each of the two Governments shall immediately upon the exchange of the ratifications of the present Act, send one or more Commissioners to Formosa to effect a final transfer of that Province and within the space of two months after the exchange of the ratifications of this Act, such transfer shall be completed.

ARTICLE VI.

All treaties between Japan and China having come to an end in consequence of war, China engages immediately upon the exchange of the ratifications of this Act, to appoint Plenipotentiaries to conclude, with the Japanese Plenipotentiaries, a Treaty of Commerce and Navigation and a Convention to regulate Frontier Intercourse and Trade. The Treaties, Conventions and Regulations now subsisting between China and European Powers shall serve as a basis for the said Treaty and Convention between Japan and China. From the date of the exchange of the ratifications of this Act until the said Treaty and Convention are brought into actual operation, the Japanese Government; its officials; commerce; navigation; frontier intercourse and trade; industries; ships and subjects, shall, in every respect, be accorded by China most favored nation treatment.

China makes in addition the following concessions, to take effect six months after the date of the present Act:

1st.—The following cities, towns and ports, in addition to those already opened, shall be opened to the trade, residence, industries and manufactures of Japanese subjects, under the same conditions and with the same privileges and facilities as exist at the present open cities, towns and ports of China:

1.—Shashih in the Province of Hupeh.
2.—Chung King in the Province of Szechuan.
3.—Suchow in the Province of Kiang Su.
4.—Hangchow in the Province of Chekiang.

The Japanese Government shall have the right to station Consuls at any or all of the above named places.

2nd.—Steam navigation for vessels under the Japanese flag for the conveyance of passengers and cargo, shall be extended to the following places:

1.—On the Upper Yangtsze River, from Ichang to Chung King.
2.—On the Woosung River and the Canal, from Shanghai to Suchow and Hangchow.

The Rules and Regulations which now govern the navigation of the inland waters of China by foreign vessels, shall, so far as applicable, be enforced in respect of the above named routes, until new Rules and Regulations are conjointly agreed to.

3rd.—Japanese subjects purchasing goods or produce in the interior of China or transporting imported merchandise into the interior of China, shall have the right temporarily to rent or hire warehouses for the storage of the articles so purchased or transported, without the payment of any taxes or exactions whatever.

4th.—Japanese subjects shall be free to engage in all kinds of manufacturing industries in all the open cities, towns and ports of China, and shall be at liberty to import into China all kinds of machinery paying only the stipulated import duties thereon.

All articles manufactured by Japanese subjects in China, shall in respect of inland transit and internal taxes, duties, charges and exactions of all kinds and also in respect of warehousing and storage facilities in the interior of China, stand upon the same footing and enjoy the same privileges and exemptions as merchandise imported by Japanese subjects into China.

In the event additional Rules and Regulations are necessary in connection with these concessions, they shall be embodied in the Treaty of Commerce and Navigation provided for by this Article.

ARTICLE VII.

Subject to the provisions of the next succeeding Article, the evacuation of China by the armies of Japan, shall be completely effected within three months after the exchange of the ratifications of the present Act.

ARTICLE VIII.

As a guarantee of the faithful performance of the stipulations of this Act, China consents to the temporary occupation by the military forces of Japan, of Wei-hai-wei in the Province of Shantung.

Upon the payment of the first two instalments of the war indemnity herein stipulated for and the exchange of the ratifications of the Treaty of Commerce and Navigation, the said place shall be evacuated by the Japanese forces, provided the Chinese Government consents to pledge, under suitable and sufficient arrangements, the Customs Revenue of China as security for the payment of the principal and interest of the remaining instalments of said indemnity. In the event no such arrangements are concluded, such evacuation shall only take place upon the payment of the final instalment of said indemnity.

It is, however, expressly understood that no such evacuation shall take place until after the exchange of the ratifications of the Treaty of Commerce and Navigation.

ARTICLE IX.

Immediately upon the exchange of the ratifications of this Act, all prisoners of war then held shall be restored and China undertakes not to ill-treat or punish prisoners of war so restored to her by Japan. China also engages to at once release all Japanese subjects accused of being military spies or charged with any other military offences. China further engages not to punish in any manner nor to allow to be punished, those Chinese subjects who have in any manner been compromised in their relations with the Japanese army during the war.

ARTICLE X.

All offensive military operations shall cease upon the exchange of the ratifications of this Act.

ARTICLE XI.

The present Act shall be ratified by Their Majesties the Emperor of Japan and the Emperor of China and the ratifications shall be exchanged at Cheefoo, on the 8th day of the 5th month of the 28th year of Meiji, corresponding to 14th day of the 4th month of the 21st year of Kuang Hsü.

In witness whereof, the respective Plenipotentiaries have signed the same and have affixed thereto the seal of their arms.

Done at Shimonoseki, in duplicate, this 17th day of the 4th month of the 28th year of Meiji, corresponding to 23rd day of the 3rd month of the 21st year of Kuang Hsü.

COUNT ITO HIROBUMI. [L.S.]
Junii, Grand Cross of the Imperial Order of Paullownia, Minister President of State, Plenipotentiary of His Majesty the Emperor of Japan.

VISCOUNT MUTSU MUNEMITSU. [L.S.]
Junii, First Class of the Imperial Order of the Sacred Treasure, Minister of State for Foreign Affairs, Plenipotentiary of His Majesty the Emperor of Japan.

LI HUNG-CHANG. [L.S.]
Plenipotentiary of His Majesty the Emperor of China; Senior Tutor to the Heir Apparent; Senior Grand Secretary of State; Minister Superintendent of Trade for the Northern Ports of China; Viceroy of the Province of Chihli and Earl of the First Rank.

LI CHING-FONG.
Plenipotentiary of His Majesty the Emperor of China, Ex-Minister of the Diplomatic Service, of the Second Official Rank.

N. TOP

W

S

遼東灣

黃海

朝鮮

平安道

天拿

鳳凰城

通遠堡

仁川

海洋島

長山列島

尺之一分万百

里圖本日

里圖清

TOP

議定書

大日本國皇帝陛下ノ政府及大清國皇帝陛下ノ政府ハ本日調印シタル媾和條約中ノ意義ニ付將來誤解ヲ生スルコトヲ避ケムト欲スル目的ヲ以テ双方ノ全權大臣ハ左ノ約定ニ同意セリ

第一　本日調印セシ媾和條約ニ附スル所ノ英譯文ハ該條約ノ日本文本文及漢文本文ト同一ノ意義ヲ有スルモノタルコトヲ約ス

第二　若該條約ノ日本文本文ト漢文本文トノ間ニ解釋ヲ異ニシタルトキハ前記英譯文ニ依テ決裁スヘキコトヲ約ス

第三　左ニ記名スル所ノ全權大臣ハ本議定書ハ本日調印シタル媾和條約ト同時ニ各兩帝國政府ニ提供シ而シテ該條約批准セラルヽトキハ本議定書ニ揭載スル所ノ諸約定モ別ニ正式ノ批准ヲ要セスシテ亦兩帝國政府ノ可認セシモノト見做スヘキコトヲ約ス

右證據トシテ兩帝國全權大臣ハ之ニ記名調印スルモノナリ

明治二十八年四月十七日即光緒二十一年三月二十三日下ノ關ニ於テ二通ヲ作ル

大日本帝國全權辦理大臣內閣總理大臣從二位勳一等伯爵伊藤博文(記名)印

大日本帝國全權辦理大臣外務大臣從二位勳一等子爵陸奥宗光(記名)印

大清帝國欽差頭等全權大臣太子太傅文華殿大學士北洋大臣直隸總督一等肅毅伯李鴻章(記名)印

大清帝國欽差全權大臣二品頂戴前出使大臣李經方(記名)印

航海條約ノ批准交換ヲ了リタル時ニ當リテ清國政府ニテ右賠償金ノ殘額ノ元利ニ對シ充分適當ナル取極ヲ立テ清國海關稅ヲ以テ抵當ト爲スコトヲ承諾スルニ於テハ日本國ハ其ノ軍隊ヲ前記ノ場處ヨリ撤回スヘシ若又之ニ關シ充分適當ナル取極立タサル場合ニハ該賠償金ノ最終回ノ拂込ヲ了リタル時ニ非サレハ撤回セサルヘシ尤通商航海條約ノ批准交換ヲ了リタル後ニ非サレハ軍隊ノ撤回ヲ行ハサルモノト承知スヘシ

第九條

本約批准交換ノ上ハ直チニ其ノ時現ニ有ル所ノ俘虜ヲ還附スヘシ而シテ清國ハ日本國ヨリ斯ク還附セラレタル所ノ俘虜ヲ虐待若ハ處刑セサルヘキコトヲ約ス

日本國臣民ニシテ軍事上ノ間諜若ハ犯罪者ト認メラレタルモノハ清國ニ於テ直チニ解放スヘキコトヲ約シ清國ハ又交戰中日本國軍隊ト種々ノ關係ヲ有シタル清國臣民ニ對シ如何ナル處刑ヲモ爲サス又之ヲ爲サシメサルコトヲ約ス

第十條

本約批准交換ノ日ヨリ攻戰ヲ止息スヘシ

第十一條

本約ハ大日本國皇帝陛下及大清國皇帝陛下ニ於テ批准セラルヘク而シテ右批准ハ芝罘ニ於テ明治二十八年五月八日即光緒二十一年四月十四日ニ交換セラルヘシ

右證據トシテ兩帝國全權大臣ハ茲ニ記名調印スルモノナリ

明治二十八年四月十七日即光緒二十一年三月二十三日下ノ關ニ於テ二通ヲ作ル

大日本帝國全權辦理大臣內閣總理大臣從二位勳一等伯爵伊藤博文（記名）印

大日本帝國全權辦理大臣外務大臣從二位勳一等子爵陸奥宗光（記名）印

大清帝國欽差頭等全權大臣太子太傅文華殿大學士北洋大臣直隸總督一等肅毅伯李鴻章（記名）印

大清帝國欽差全權大臣二品頂戴前出使大臣李經方（記名）印

國間諸條約ノ基礎ト爲スヘシ又本約批准交換ノ日ヨリ該諸條約ノ實施ニ至ル迄ハ清國ハ日本國政府官吏商業航海陸路交通貿易工業船舶及臣民ニ對シ總テ最惠國待遇ヲ與フヘシ

清國ハ右ノ外左ノ讓與ヲ爲シ而シテ該讓與ハ本約調印ノ日ヨリ六個月ノ後有效ノモノトス

第一清國ニ於テ現ニ各外國ニ向テ開キ居ル所ノ各市港ノ外ニ日本國臣民ノ商業住居工業及製造業ノ爲メニ左ノ市港ヲ開クヘシ但シ現ニ清國ノ開市場開港場ニ行ハルル所ト同一ノ條件ニ於テ同一ノ特典及便益ヲ享有スヘキモノトス

一湖北省荊州府沙市

二四川省重慶府

三江蘇省蘇州府

四浙江省杭州府

日本國政府ハ以上列記スル所ノ市港中何レノ處ニモ領事官ヲ置クノ權利アルモノトス

第二旅客及貨物運送ノ爲メ日本國滊船ノ航路ヲ左記ノ場所ニ迄擴張スヘシ

一楊子江上流湖北省宜昌ヨリ四川省重慶ニ至ル

二上海ヨリ吳淞江及運河ニ入リ蘇州杭州ニ至ル

日清兩國ニ於テ新章程ヲ妥定スル迄ハ前記航路ニ關シ適用シ得ヘキ限ハ外國船

船清國內地水路航行ニ關スル現行章程ヲ施行スヘシ

第三日本國臣民カ清國內地ニ於テ貨品及生產物ヲ購買シ又ハ其ノ輸入シタル商品ヲ清國內地ヘ運送スルニハ右購買品又ハ運送品ヲ倉入スル爲メ何等ノ稅金取立金ヲモ納ムルコトナク一時倉庫ヲ借入ルヽノ權利ヲ有スヘシ

第四日本國臣民ハ清國各開市場開港場ニ於テ自由ニ各種ノ製造業ニ從事スルコトヲ得ヘク又所定ノ輸入稅ヲ拂フノミニテ自由ニ各種ノ器械類ヲ清國ヘ輸入スルコトヲ得ヘシ

清國ニ於ケル日本國臣民ノ製造ニ係ル一切ノ貨品ハ各種ノ內國運送稅內地稅賦課金取立金ニ關シ又清國內地ニ於ケル倉入上ノ便益ニ關シ日本國臣民カ清國ヘ輸入シタル商品ト同一ノ取扱ヲ受ケ且同一ノ特典免除ヲ享有スヘキモノトス

此等ノ讓與ニ關シ更ニ章程ヲ規定スルコトヲ要スル場合ニハ之ヲ本條ニ規定スル所ノ通商航海條約中ニ具載スヘキモノトス

第七條

現ニ清國版圖內ニ在ル日本國軍隊ノ撤回ハ本約批准交換後三個月內ニ於テスヘシ但シ次條ニ載スル所ノ規定ニ從フヘキモノトス

第八條

清國ハ本約ノ規定ヲ誠實ニ施行スヘキ擔保トシテ日本國軍隊ノ一時山東省威海衛ヲ占領スルコトヲ承諾ス而シテ本約ニ規定シタル軍費賠償金ノ初回次回ノ拂込ヲ了リ通商

二臺灣全島及其ノ附屬諸島嶼

三澎湖列島即英國「グリーンウィチ」東經百十九度乃至百二十度及北緯二十三度乃至二十四度ノ間ニ在ル諸島嶼

第三條

前條ニ揭載シ附屬地圖ニ示ス所ノ經界線ハ本約批准交換後直チニ日清兩國ヨリ各二名以上ノ境界共同劃定委員ヲ任命シ實地ニ就テ確定スル所アルヘキモノトス而シテ若本約ニ揭記スル所ノ境界ニシテ地形上又ハ施政上ノ點ニ付完全ナラサルニ於テハ該境界劃定委員ハ之ヲ更正スルコトニ任スヘシ

該境界劃定委員ハ成ルヘク速ニ其ノ任務ニ從事シ其ノ任命後一箇年以內ニ之ヲ終了スヘシ

但シ該境界劃定委員ニ於テ更定スル所アルニ當リテ其ノ更定シタル所ニ對シ日清兩國政府ニ於テ可認スル迄ハ本約ニ揭記スル所ノ經界線ヲ維持スヘシ

第四條

清國ハ軍費賠償金トシテ庫平銀貳億兩ヲ日本國ニ支拂フヘキコトヲ約ス右金額ハ都合八回ニ分チ初回及次回ニハ每回五千萬兩ヲ支拂フヘシ而シテ初回ノ拂込ハ本約批准交換後六個月以內ニ次回ノ拂込ハ本約批准交換後十二個月以內ニ於テスヘシ殘リノ金額ハ六個年賦ニ分チ其ノ第一次ハ本約批准交換後二個年以內ニ其ノ第二次ハ本約批准交換後三個年以內ニ其ノ第三次ハ本約批准交換後四個年以內ニ其ノ第四次ハ本約批准交

換後五個年以內ニ其ノ第五次ハ本約批准交換後六個年以內ニ其ノ第六次ハ本約批准交換後七個年以內ニ支拂フヘシ又初回拂込ノ期日ヨリ以後未タ拂込ヲ了ラサル額ニ對シテハ每年百分ノ五ノ利子ヲ支拂フヘキモノトス

但シ清國ハ何時タリトモ該賠償金ノ全額或ハ其ノ幾分ヲ前以テ一時ニ支拂フコトヲ得ヘシ如シ本約批准交換後三個年以內ニ該賠償金ノ總額ヲ皆濟スルトキハ總テ利子ヲ免除スヘシ若夫迄ニ二個年半若ハ更ニ短期ノ利子ヲ拂込ミタルモノアルトキハ之ヲ元金ニ編入スヘシ

第五條

日本國ヘ割與セラレタル地方ノ住民ニシテ右割與セラレタル地方ノ外ニ住居セムト欲スル者ハ自由ニ其ノ所有不動產ヲ賣却シテ退去スルコトヲ得ヘシ其ノ爲メ本約批准交換ノ日ヨリ二個年間ヲ猶豫スヘシ但シ右年限ノ滿チタルトキハ未タ該地方ヲ去ラサル住民ヲ日本國ノ都合ニ因リ日本國臣民ト視爲スコトアルヘシ

日清兩國政府ハ本約批准交換後直チニ各一名以上ノ委員ヲ臺灣省ヘ派遣シ該省ノ受渡ヲ爲スヘシ而シテ本約批准交換後二個月以內ニ右受渡ヲ完了スヘシ

第六條

日清兩國間ノ一切ノ條約ハ交戰ノ爲メ消滅シタレハ清國ハ本約批准交換ノ後速ニ全權委員ヲ任命シ日本國全權委員ト通商航海條約及陸路交通貿易ニ關スル約定ヲ締結スヘキコトヲ約ス而シテ現ニ清國ト歐洲各國トノ間ニ存在スル諸條約章程ヲ以テ該日清兩

（媾和條約）

大日本國皇帝陛下及大清國皇帝陛下ハ兩國及其ノ臣民ニ平和ノ幸福ヲ回復シ且將來紛議ノ端ヲ除クコトヲ欲シ媾和條約ヲ訂結スル爲メニ大日本國皇帝陛下ハ内閣總理大臣從二位勳一等伯爵伊藤博文外務大臣從二位勳一等子爵陸奥宗光ヲ大清國皇帝陛下ハ太子太傅文華殿大學士北洋大臣直隸總督一等肅毅伯李鴻章二品頂戴前出使大臣李經方ヲ各其ノ全權大臣ニ任命セリ因テ各全權大臣ハ互ニ其ノ委任狀ヲ示シ其ノ良好妥當ナルヲ認メ以テ左ノ諸條欵ヲ協議決定セリ

第一條

清國ハ朝鮮國ノ完全無缺ナル獨立自主ノ國タルコトヲ確認ス因テ右獨立自主ヲ損害スヘキ朝鮮國ヨリ清國ニ對スル貢獻典禮等ハ將來全ク之ヲ廢止スヘシ

第二條

清國ハ左記ノ土地ノ主權並ニ該地方ニ在ル城壘兵器製造所及官有物ヲ永遠日本國ニ割與ス

一左ノ經界内ニ在ル奉天省南部ノ地

鴨綠江口ヨリ該江ヲ溯リ安平河口ニ至リ該河口ヨリ鳳凰城海城營口ニ亘リ遼河口ニ至ル折線以南ノ地併セテ前記ノ各城市ヲ包含スル而シテ遼河ヲ以テ界トスル處ハ該河ノ中央ヲ以テ經界トスルコトヽ知ルヘシ

遼東灣東岸及黄海北岸ニ在テ奉天省ニ屬スル諸島嶼

SEPARATE ARTICLES.

ARTICLE I.

The Japanese Military Forces which are, under Article VIII of the Treaty of Peace signed this day, to temporarily occupy Wei-hai-wei, shall not exceed one Brigade and from the date of the exchange of the ratifications of the said Treaty of Peace, China shall pay annually, one-fourth of the amount of the expenses of such temporary occupation that is to say, at the rate of 500,000 Kuping Taels per annum.

ARTICLE II.

The territory temporarily occupied at Wei-hai-wei shall comprise the Island of Liu Kung and a belt of land 5 Japanese *Ri* wide along the entire coast line of the Bay of Wei-hai-wei.

No Chinese Troops shall be permitted to approach or occupy any places within a zone 5 Japanese *Ri* wide beyond the boundaries of the occupied territory.

ARTICLE III.

The Civil Administration of the occupied territory shall remain in the hands of the Chinese Authorities. But such Authorities shall at all times be obliged to conform to the orders which the Commander of the Japanese Army of occupation may deem it necessary to give in the interest of the health, maintenance, safety, distribution or discipline of the Troops.

All military offences committed within the occupied territory shall be subject to the jurisdiction of the Japanese Military Authorities.

The foregoing Separate Articles shall have the same force, value and effect as if they had been word for word inserted in the Treaty of Peace signed this day.

In witness whereof the respective Plenipotentiaries have signed the same and have affixed thereto the seal of their arms.

Done at Shimonoseki, in duplicate, this 17th day of the 4th month of the 28th year of Meiji, corresponding to the 23rd day of the 3rd month of the 21st year of Kwang Hsü.

COUNT ITO HIROBUMI. [L.S.]
Junii, Grand Cross of the Imperial Order of Paullownia, Minister President of State, Plenipotentiary of His Majesty the Emperor of Japan.

VISCOUNT MUTSU MUNEMITSU. [L.S.]
Junii, First Class of the Imperial Order of the Sacred Treasure, Minister of State for Foreign Affairs, Plenipotentiary of His Majesty the Emperor of Japan.

LI HUNG-CHANG. [L.S.]
Plenipotentiary of His Majesty the Emperor of China, Senior Tutor to the Heir Apparent, Senior Grand Secretary of State; Minister Superintendent of Trade for the Northern Ports of China; Viceroy of the Province of Chihli and Earl of the First Rank.

LI CHING-FONG.
Plenipotentiary of His Majesty the Emperor of China, Ex-Minister of the Diplomatic Service, of the Second Official Rank.

大日本帝國全權辨理大臣內閣總理大臣從二位勳一等伯爵伊藤博文(記名)印

大日本帝國全權辨理大臣外務大臣從二位勳一等子爵陸奥宗光(記名)印

大清帝國欽差頭等全權大臣太子太傅文華殿大學士北洋大臣直隸總督一等肅毅伯李鴻章(記名)

大清帝國欽差全權大臣二品頂戴前出使大臣李經方(記名)印

別約

第一條　本日調印シタル媾和條約第八條ノ規定ニ依リテ一時威海衛ヲ占領スヘキ日本國軍隊ハ一旅團ヲ超過セサルヘシ而シテ該條約批准交換ノ日ヨリ清國ハ毎年右一時占領ニ關スル費用ノ四分ノ一庫平銀五十萬兩ヲ支拂フヘシ

第二條　威海衛ニ於ケル一時占領地ハ劉公島及威海衛灣ノ全沿岸ヨリ日本里數五里ノ地ヲ以テ其ノ區域ト爲スヘシ

右一時占領地ノ經界線ヲ距ルコト日本里數五里ノ地内ニ在リテハ何レノ所タリトモ清國軍隊ノ之ニ近ツキ若ハ之ヲ占領スルコトヲ許サヽルヘシ

第三條　一時占領地ノ行政事務ハ仍ホ清國官吏ノ管理ニ歸スルモノトス但シ清國官吏ハ常ニ日本國占領軍司令官カ其ノ軍隊ノ健康安全紀律ニ關シ又ハ之カ維持配置上ニ付必要ト認メ發スル所ノ命令ニ服從スヘキ義務アルモノトス

一時占領地内ニ於テ犯シタル一切ノ軍事上ノ罪科ハ日本國軍務官ノ裁判管轄ニ屬スルモノトス

此ノ別約ハ本日調印シタル媾和條約中ニ悉ク記入シタルト同一ノ効力ヲ有スルモノトス

右證據トシテ兩帝國全權大臣ハ之ニ記名調印スルモノナリ

明治二十八年四月十七日即光緒二十一年三月二十三日下ノ關ニ於テ二通ヲ作ル

Enclosure 2 with Mr. Dun's No. 272.

(Translation.)

PROTOCOL.

The Governments of H. M. the Emperor of Japan and of H. M the Emperor of China being desirous to avoid any future misunderstanding, the respective Plenipotentiaries have agreed upon the following stipulations:-

1. The English translation annexed to the Treaty of Peace signed to day shall be of the same signification as the Japanese and Chinese texts of the said Treaty.

2. Whenever a difference of interpretation arises between the Japanese and Chinese texts of the said Treaty, decision shall be made according to the English translation.

3. The undersigned Plenipotentiaries shall present his Protocol together with the treaty signed to-day to their respective Governments and when the said Treaty has been ratified the provisions in this Protocol shall, without any formal ratifications, be regarded as having been approved and accepted by the respective Governments.

In witness whereof, the respective Plenipotentiaies have signed the same and have affixed thereto the seal of their arms.

Done at Shimonoseki, in duplicate, this 17th day of April in the year 1895.

Japanese Plenipotentiaries.
Count Ito Hirobumi.
Viscount Mutsu Munemitsu.

Chinese Plenipotentiaries.
Count Li Hung Chang.
Li King Fang.

Enclosure 1 with Mr. Dun's No. 272.

(Translation.)

PROTOCOL.

The Governments of H. M. the Emperor of Japan and of H. M the Emperor of China being desirous to avoid any future misunderstanding, the respective Plenipotentiaries have agreed upon the following stipulations:-

1. The English translation annexed to the Treaty of Peace signed to-day shall be of the same signification as the Japanese and Chinese texts of the said Treaty.

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3. The undersigned Plenipotentiaries shall present this Protocol together with the Treaty signed to-day to their respective Governments, and when the said Treaty has been ratified the provisions in this Protocol shall, without any formal ratifications , be regarded as having been approved and accepted by the respective Governments.

In witness whereof, the respective Plenipotentiaries have signed the same and have affixed thereto the seal of their arms.

Done at Shimonoseki, in duplicate, this seventeenth day of April, in the year 1895.

Japanese Plenipotentiaries.
Count Ito Hirobumi.
Viscount Mutsu Munemitsu.

Chinese Plenipotentiaries.
Count Li Hung Chang.

Li King Fang.

Enclosure 3 with Mr. Dun's No. 272.

(Translation.)

RATIFICATION.

Mutsuhito, by Grace of Heaven, Emperor of Japan and seated on the throne occupied by the same Dynasty from time immemorial.

To all to whom these presents shall come, greeting:

Whereas We have seen and examined each and every clause of the Treaty of Peace and Separate Articles which were signed and sealed at Shimonoseki by the Plenipotentiaries of Japan and China on the 17th day of the 4th month of the 28th year of Meiji; and whereas We have found them satisfactory and agreable to Us, We do therefore accept and ratify the said Treaty and Separate Articles.

In witness whereof, We have hereunto set Our Signature and caused the Great Seal of the Empire to be affixed.

Done at Hiroshima this 20th day of the 4th month of the 28th year of Meiji, corresponding to the two thousand five hundred and fifty-fifth year from the Coronation of the Emperor Jimmu.

(Seal of the Empire.) (Imperial Sign Manual.)

(Counter signed.)

Viscount Mutsu Munemitsu,

Minister for Foreign Affairs.

Enclosure 3 with Mr. Dun's No. 272.

(Translation.)

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Mutsuhito, by Grace of Heaven, Emperor of Japan and seated on the throne occupied by the same Dynasty from time immemorial.

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(Seal of the Empire.) (Imperial Sign Manual.)

(Counter signed.)

Viscount Mutsu Munemitsu,

Minister for Foreign Affairs.

Enclosure 4 with Mr. Dun's No. 272.

(Translation.)

IMPERIAL RESCRIPT.

We recently complied with the request of China and in consequence appointed Plenipotentiaries and caused them to confer with the Plenipotentiaries appointed by China and to conclude a Treaty of Peace between the two Empires.

Since then the Governments of Their Majesties the Emperors of Russia and Germany and of the Republic of France have united in a recommendation to Our Government not to permanently possess the peninsula of Feng-Tien, Our newly acquired territory, on the ground that such permanent possession would be detrimental to the lasting peace of the Orient

Devoted as We unalterably are and ever have been to the principles of peace, We were constrained to take up arms against China for no other reason than Our desire to secure for the Orient an enduring peace.

Now the friendly recommendation of the three Powers was equally prompted by the same desire. Consulting therefore the best interests of peace and animated by a desire not to bring upon Our people added hardship or to impede the progress of national destiny by creating new complications and thereby making the situation difficult and retarding the restoration of peace, We do not hesitate to accept such recommendations.

By concluding the Treaty of Peace, China has already

shown

shown her sincerity of regret for the violation of her engagements and thereby the justice of Our causehas been proclaimed to the world.

Under the circumstances, We can find nothing to impair the honor and dignity of Our Empire if We now yield to the dictates of magnanimity and, taking into consideration the general situation , accept the advice of the friendly Powers.

Accordingly We have commanded Our Government and have caused them to reply to the three Powers in the above sense.

Regarding the arrangements by which We will renounce the permanent possession of the peninsula, We have especially commanded Our Government that the necessay measures shallbe made the subject of future negotiations.and adjustment with the Government of China.

Now the exchange of ratifications of the Treaty of Peace has already been effected; the friendly relations between the two Empires have been re-established, and cordial relations with all other Powers are also strengthened.

We therefore command Our subjects to respect Our will; to take into careful consideration the general situation; to be circumspect in all things; to avoid erroneous tendencies; and not to impair or thwart the high aspirations of Our Empire.

The 10th day, the 5th month of the 28th year of Meiji.

(L. S.) (Imperial Sign Manual .)

(Countersigned.) By all Ministers of State.

Enclosure 4 with Mr. Dun's No. 272.

(Translation.)

IMPERIAL RESCRIPT.

We recently complied with the request of China and in consequence appointed Plenipotentiaries and caused them to confer with the Plenipotentiaries appointed by China and to conclude a Treaty of Peace between the two Empires.

Since then the Governments of Their Majesties the Emperors of Russia and Germany and of the Republic of France have united in a recommendation to Our Government not to permanently possess the peninsula of Feng-Tien, Our newly acquired territory, on the ground that such permanent possession would be detrimental to the lasting peace of the Orient.

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We therefore command Our subjects to respect Our will; to take into careful consideration the general situation; to be circumspect in all things; to avoid erroneous tendencies; and not to impair or thwart the high aspirations of Our Empire.

The 10th day, the 5th month of the 28th year of Meiji.

(L. S.) (Imperial Sign Manual .)

(Countersigned.) By all Ministers of State.

2D ASSISTANT SECRETARY.
Ack. by Number and File.
JUN 7 1895

No. 273.

INDEX BUREAU
RECD.
JUN 1895
DEPT. OF STATE

Legation of the United States.

Tokyo, Japan, May 18, 1895.

DIPLOMATIC BUREAU
JUN 7 1895

Mr. Dun

to the Secretary of State.

Subject:

Mr. Breckinridge's despatch on Russia's attitude towards the East.

No. 273.

Legation of the United States,
Tokyo, Japan, May 18, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to acknowledge the receipt of your instruction No. 195, of date April 10, 1895, enclosing, for my confidential perusal, copy of a despatch from the United States Minister at St. Petersburg, dated February 18, last.

I have read Mr. Breckinridge's despatch with deep interest. In my

opinion

opinion, his views, so ably expressed,
are deserving of the most careful
attention; for in addition to
the light of sound merits they
seem to be greatly strengthened
by what has already taken
place.

I have the honor to be,

Sir,

Your obedient servant,

Edward Livingston

Confirmed May 31. 95

Legation of the United States
Tokyo, May 26, 1895.

DIPLOMATIC BUREAU
MAY 27 1895

Form 72. T. W.

TRANS-ATLANTIC CABLEGRAM.

POSTAL TELEGRAPH-CABLE COMPANY — CONNECTION WITH THE COMMERCIAL CABLES

ALBERT B. CHANDLER, President and General Manager.

JOHN O. STEVENS, Secretar

The following CABLEGRAM received, **"Via Commercial Cables,"** *subject to the term and conditions printed on the back hereof, which are ratified and agreed to.*

6 Ry x u Rw

Received at 1337 F ST., N.W.
(Where copy is to be sent.) TELEPHONE CALL 458

25 Tokio — Gresham Washington

May twenty sixth no copy
of sealing regulations for 1895
yet received at this legation
or at Consulate in Japan.
Dun

No Inquiry respecting this Message can be attended to without the production of this paper. *Repetitions of doubtful words a obtained through the Company's offices, and not by DIRECT application to the sender.*

DIPLOMATIC BUREAU
JUN 18 1895

2D ASSISTANT SECRETARY
Ack. by Number and File.
JUN 18 1895

No. 274.

INDEX BUREAU
REC'D.
JUN 17 1895
DEPT OF STATE

Legation of the United States.
Tokyo, Japan, May 27, 1895.

Mr. Dun
to the Secretary of State.

Subject:
Copies of telegrams.

No. 274.

Legation of the United States,
Tokyo, Japan, May 27, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:-

I have the honor to enclose herewith copies of the following telegrams:

1. The Secretary of State to Mr. Dun, May 18, 1895.
2. Mr. Dun to the Secretary of State, May 26, 1895.
3. Mr. Denby to Mr. Dun, May 20, 1895.
4. " " " " -, " 21, " .
5. Mr. Dun to Mr. Denby, " 23, " .

I

I have the honor to be,

Sir

Your obedient servant,

Edwin Dun

Enclosures:

Copies of 5 telegrams.

Enclosure / with Mr. Dun's No. 274.

Copy of telegram received from the Secretary of State, May 19, 1895.

"Washington, May 18, 1895.

"Dun, Minister, Tokio.

"British Government informs the "Department that the sealing regulations for 1895 are not "agreed to. Instruct consuls in Japan to refuse privilege to "British vessels in future under articles four, five and six "and that regulations are still in force as to American "vessels.

"Uhl, Acting."

Enclosure 2 with Mr. Dun's No. 274.

Copy of a telegram transmitted to the Secretary of State, May 26, 1895.

"Tokio, May, 26, 1895.

"Gresham, Washington.

"May twenty-sixth. No copy of sealing regulations for 1895 "yet received at this Legation or at Consulates in Japan.

"Dun."

Enclosure 9 with Mr. Dun's No. 274.

Copy of a telegram received from the United States Minister at Peking, May 20, 1895.

"Peking, May 20, 1895.

"American Minister, Tokio.

"May twentieth. The Chinese Government request s you to "communicate the following to the Japanese Government:- "Li Ching Fang, ex-Chinese Minister and an officer wearing "the button of the second rank, was appointed the eighteenth "instant Commissioner to proceed to Formosa to meet the "Japanese Governor.

"Denby."

Enclosure 4 with Mr. Dun's No. 274.

Copy of a telegram received from the United States Minister at Peking, May 21, 1895.

"Peking, May 21, 1895.

"American Minister, Tokio.

"May twenty-first. The Government of China requests you to "communicate the following to the Government of Japan:-

"The Emperor of China issued yesterday a decree ordering Fang "Ching Sung, Acting Governor of Formosa, to retire from his "office and come to Peking and all the civil and military "officials high and low are also ordered to return to China.

"Denby.

Enclosure 5 with Mr. Dun's No. 274.

Copy of a telegram transmitted to the United States Minister at Peking, May23, 1895.

"Tokio, May 23, 1895.

"American Minister Peking .

"May twenty-third. You are requested by Japanese Government "to communicate to Chinese Government the following:-

"His Imperial Japanese Majesty's Minister for Foreign Affairs "has the honor to announce to His Highness the Prince and their Excellencies the Ministers of the Tsung-li Yamen that "His Majesty the Emperor of Japan has been graciously pleased "to appoint Hayashi Tadasu, Vice-Minister for Foreign Affairs, "to be His Envoy Extraordinary and Minister Plenipotentiary "near His Majesty the Emperor of China and that His Excellency "will take his departure for Tientsin within ten days

"Dun.

DIPLOMATIC BUREAU.
JUN 22 1895

2D ASSISTANT SECRETARY.
BUREAU OF ACCOUNTS.
and
DIPLOMATIC BUREAU.
JUN 18 1895

No. 275.

INDEX BUREAU
REC'D.
JUN 17 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, May 27, 1895.

Ordered June 21/95
Ack'd June 24/95.

Mr. Dun

to the Secretary of State.

Subject:

Request that the Legation's subscriptions to the "N. Y. Herald" and "S. F. Examiner" be renewed for the coming fiscal year.

No. 275.

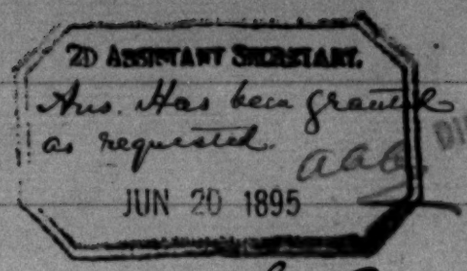
Legation of the United States,
Tokyo, Japan, May 27, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to request that the subscriptions for the "New York Herald" and "San Francisco Examiner" be renewed for this Legation for the coming fiscal year.

I have the honor to be,
Sir,
Your obedient servant,
Edwin Dun



DIPLOMATIC BUREAU
JUN20 1895

No. 276.



Legation of the United States,
Tokyo, Japan, May 27. 1895.

Ack'd 21st June 95

Mr. Dun
to the Secretary of State.

Subject:
Mr. Herod's application for
leave of absence approved.

No. 276.

Legation of the United States,
Tokyo, Japan, May 27, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to transmit, herewith, with my approval Mr. Herod's application for a leave of absence for sixty days with permission to return to the United States.

I have the honor to be,
Sir,
Your obedient servant,
Edwin Dun

DIPLOMATIC BUREAU.
JUN 20 1895

2D ASSISTANT SECRETARY
Grant.
JUN 20 1895

No. 4.

INDEX BUREAU
RECD.
JUN 17 1895
DEPT. of STATE

Legation of the United States,
Tokyo, Japan, May 27, 1895.

Acct. 21 June 95

Mr. Herod
to the Secretary of State.

Subject:
Application for leave of absence with permission to return to the United States.

No. 4.

Legation of the United States,
Tokyo, Japan, May 27, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:-

I have the honor to request that I may be granted leave of absence for sixty days with permission to return to the United States, to be availed of, subject to the approval and with the consent of Minister Dun, on or about the 1st of October, 1895.

I am

In case the leave of absence is granted, I should be pleased to receive an official passport including myself, wife and one child.

I have the honor to be,

Sir,

Your obedient servant,

Joseph R. Underwood

DIPLOMATIC BUREAU
JUN 19 1895

No. 277

INDEX BUREAU
REC'D.
JUN 17 1895
DEPT. OF STATE

Legation of the United States,
Myo, Japan, May 28, 1895.

Ack June 21/95

Mr. Dun
to the Secretary of State.

Subject:
Copy of telegram from Mr. Denby,
Peking, relative to the appointment
of Japanese Minister to Peking,
dated May 27, 1895.

No. 277.

Legation of the United States,
Tokyo, Japan, May 28, 1895.

Honorable W. Q. Gresham,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose herewith copy of a telegram from Mr. Denby, Peking, dated May 27th, relative to the appointment of Mr. Hayashi Tadasu as Minister of Japan to China.

I have the honor to be, Sir,
Your obedient servant,
Edwin Dun

Enclosure: Copy of telegram as above.

Enclosure with Mr. Dun's No. 277

Copy of a telegram received from the United States Minister at Peking, May 27, 1895.

"Peking, May 27, 1895.

"American Minister, Tokio.

"May twenty-seventh. The Chinese Government requests you to "communicate the following to the Japanese Government as a "reply to their telegram of the twenty-third May announcing "the appointment of His Excellency Hayashi Tadasu as Minister "to China:- The Yamen would observe now since the two coun- "tries are reconciled and friendly Ministers Plenipotentiary "must necessarily be appointed to reside at the Courts of "each other, but as to who China should appoint it is still "necessary that she should be very careful in the selection "of the person. Further in the matter of the transfer of ceded "territory by the two countries, this has not yet been settled "and in the matter of commerce between the two countries "according to the treaty of peace China and Japan are to "appoint Plenipotentiaries to arrange and conclude this. China "proposes to wait until all these matters have been well "arranged and then at the same time with Japan appoint a "Minister Plenipotentiary, thus avoiding the appointments "being made at irregular times. It is ^ that China will not not? "agree to receive the Minister now appointed by Japan but his "starting within ten days for Tientsin gives a very short time "The Yamen therefore requests that Your Excellency will tele- "graph to the Japanese Government to wait until the question of

"the

"the transfer of ceded territory and the treaty of commerce
"have been arranged and settled and then send her Minister on
"his mission to China. At that time China will inform the
"Japanese Government whom she has appointed as Minister to
"Tokio. Chinese text of Yamen's note also wired.

"Denby."

216 - May 31.

DIPLOMATIC BUREAU.
JUN 18 1895

No. 278.



Legation of the United States,
Tokyo, Japan, May 28, 1895.

Rec'd June 20 1895

Mr. Uhl
Acting Secretary of State.

Subject:
Sealing Regulations for 1895.

No. 278

Legation of the United States

Tokyo, Japan, May 28, 1895.

Honorable W. Q. Gresham,

Secretary of State,

Washington, D.C.

Sir:

Referring to the Department's telegraphic instruction of the 15th instant, informing me that Great Britain refused to agree to the Sealing Regulations for 1895 (see enclosure 1 with my No. 274) and my reply thereto dated the 26th instant (see enclosure 2 with my No. 274) I have the honor to inform you that there are no Sealing Regulations

for

for 1895 at this Legation. The only regulations relating to the seal fisheries in the archives of this Legation are those appearing in the President's Proclamation dated April 9th, 1894, the same being based on the acts of the Fifty-third Congress.

I have the honor to be,

Sir,

Your obedient Servant,

Edwin Dun

2D ASSISTANT SECRETARY.
Ack. Crossed by notification of Stephen Bonsal's appointment.
JUN 18 1895

Rec'd 19 June '95

No. 279.

INDEX BUREAU
REC'D.
JUN 17 1895
DEPT. OF STATE

Legation of the United States

Tokyo, Japan, May 28, 1895.

Mr. Uhl

to the Secretary of State.

Subject:

Appointment of a Second Secretary of Legation.

No. 279.

Legation of the United States,
Tokyo, Japan, May 28, 1895.

Honorable W. Q. Gresham
Secretary of State,
Washington, D. C.

Sir:

If it should please the President to fill the vacancy caused by the promotion of Mr. Joseph R. Heron from Second Secretary to Secretary by the appointment of a Second Secretary to this Legation, I should be much gratified.

Such appointment would, in my opinion, add to the

efficiency

efficiency of the Staff of this

Legation.

I have the honor to be,

Sir,

Your Obedient servant,

Edwin Dun

No. 280.

Legation of the United States,
Tokyo, Japan, June 5, 1895.

INDEX BUREAU
REC'D.
JUL 1 1895
DEPT. OF STATE

DIPLOMATIC BUREAU
JUL 5 1895

Rec'd 5 July 95 PM

Mr. Dun
to the Acting Secretary of State.

Subject:
The friendly warning of the three powers and Japan's recession of the Liaotung Peninsula.

No. 280.

Legation of the United States,
Tokyo, Japan, June 5, 1895.

Honorable Edwin F. Uhl,
Acting Secretary of State,
Washington, D. C.

Sir:-

I have the honor to enclose herewith an ably written editorial article entitled "Friendly Warning", clipped from the Japan Mail of the 3rd instant, criticising the part taken by Germany in connection with the representation made by the three

three European powers to Japan, which induced the latter to relinquish the permanent possession of territory on the continent of Asia ceded to her by China in the treaty of peace concluded at Shimonoseki, April 17, 1895.

On the 8th of March last, the "friendly warning," quoted by the Mail from the Cologne Gazette, — was given to Japan by Germany through Baron de Gutschmid, the German representative at Tokio. Some time since, I was informed by that

that gentleman of the instructions received from his government and, as nearly as I can recollect his statement, they were in substance, if not word for word the same as quoted by the Japan Mail from the Cologne Gazette, to wit:- that he should "recommend to the Japanese "Government a policy of "moderation in drawing up "the conditions of peace" and that he should add that "the demand for a cession "of territory on the continent would

"would, in the eyes of
"Germany, be particularly
"calculated to provoke
"an intervention of European
"powers."

In connection with the subject of the article from the Japan Mail herewith, I have the honor to report confidentially to you that I have received information from the Japanese Foreign Office to the effect that, prior to the "friendly warning" given Japan by Germany on the 6th of March last, - that is about the 1st of that month -,

the

the Russian Minister here, Mr. Hitrovo, informed Viscount Motono, H. I. J. M's Minister for Foreign affairs, that he was instructed by his government to say that if Japan would guarantee to Russia the independence of Korea in fact as well as in name, that the Russian Government would not object to the occupation by Japan of any part of China's territory. The assurance required of Japan by Russia was given. I am also informed from the same source, that the terms on which Japan was willing

willing to conclude a treaty of peace with China were communicated to the Russian Government at St. Petersburg on April 6th last, and at that time no objections to those terms was made by the Russian Government. I had the honor to communicate to my Government the terms referred to above in my telegram dated April 4th to the Secretary of State.

It appears to be generally believed in the Foreign Office here that Russia purposely withheld from Japan her

intention

intention to intervene until the treaty of peace was concluded and until it was too late for Japan to recede from the position in which she had been placed by the conclusion of that treaty. It is believed that Russia's action was influenced by the following reasons:- At the time the treaty of peace was signed Japan had in the Liaotung peninsula an army of more than one hundred thousand men, besides a large number of coolies, dependent

Confidential.

dependent upon the transport service for supplies which had to be brought from Japan. In the event of hostilities with Russia, it would have been impossible for Japan to have maintained this service, and its interruption would have brought her army face to face with starvation within a very few weeks. On the other hand, had Japan been aware of Russia's intentions before the conclusion of peace, it would have been possible for her to have delayed negotiations until such

Continued

such time as she could have withdrawn the greater part of her army, leaving only a sufficient force— say thirty or forty thousand men—, to defend the Liaotung peninsula, and have sent to them sufficient supplies to have enabled them to maintain their position at Port Arthur and Talienwan for an indefinite time without communications with Japan, thus enabling Japan to withdraw her fleet and transports to the home ports and to have defied any attack that Russia might have

Confidential.

have been able to offer.
Whether Japan would have
been able to maintain her
position in the Liao-tung
peninsula in defiance of
Russia and the other
powers, had she had
sufficient time to prepare
for such an issue; is ex-
tremely doubtful. However
that may be, it is believed
here that Russia recognized
the possibility of such
resistance and was led to
dissimulation until the
treaty of peace was signed,
when Japan found herself
in a position powerless
to

to resist the demands made upon her.

In this connection, I have learned from the same source of information, that when the representation of the three Powers was under consideration by the Cabinet at Kioto, the matter was submitted by the Cabinet to the Military and Naval authorities at Hiroshima and at the Headquarters in China, then at Paliencan, with three propositions in response to the representation that had been discussed by the Cabinet.

Confidential

The

The first proposition was
forcible resistance; the second
a congress of the great powers
to determine the matter;
the third unconditional
submission to the wishes
of the three powers. The
reply of the Military and
Naval Authorities, including
the concurring opinions of
Marshals Yamagata and
Oyama, and of Admirals
Ito and Kabayama, was
to the effect that Japan
was powerless at that
time to offer forcible re-
sistance to the demands of
the three powers. Upon the
receipt

Confidential.

receipt of this answer, the Cabinet decided to stop all further discussion and possible further complications with the three powers by complying at once and entirely with their wishes as expressed in their representation.

Confidential

I have the honor to be,
Sir,
Your obedient servant,
Edwin Dun

Enclosure:
Clippings from Japan Mail of 3rd instant.

Confidential

Encl. with Mr. Dun's No. 280.

The Japan Daily Mail.

YOKOHAMA, MONDAY, JUNE 3, 1895.

FRIENDLY WARNING.

THE fiction that Japan received due warning from the Three Powers of their intention to interfere should she include the cession of any part of the Asiatic mainland in her terms of peace, continues to be offered for public credence by a section of the press. The *Cologne Gazette*, for example, after claiming that, at the outset, "the German Government emphatically and successfully opposed the attempts of foreign Powers to interfere prematurely in the struggle," goes on to say that, being aware of "the endeavours made by the Japanese radical war party to drive the Japanese Government from the moderate course it was pursuing into a path which might lead to the violation of important European interests and thereby to a deterioration of the friendly relations between Japan and the European Powers, the German Government, at the beginning of March, instructed its Minister in Tokyo to recommend to the Japanese Government a policy of moderation in drawing up the conditions of peace, adding that the demand for a cession of territory on the continent would, in the eyes of Germany, be particularly calculated to provoke an intervention of European Powers." The *Cologne Gazette* then proceeds thus:—

> When a few weeks later, the first news as to the conditions of peace seemed to point to the fact that the Japanese Government had paid less attention to this friendly advice than to the importunity of the party of action, the first steps were taken towards bringing about an understanding on this subject between the European Powers. A complete agreement of opinion between Germany and Russia was obtained, and as the co-operation of France is also secured, these three Powers will take diplomatic action in common for guarding their interests in Eastern Asia.

Let us accept this version as it stands, and consider exactly what it signifies. In the first place, the German semi-official organ represents Germany as having, from the outset, "emphatically and successfully opposed the attempts of foreign Powers to interfere prematurely in the struggle." It claims, in short, that Germany acted as a kind of keeper of the lists so as to ensure to the belligerents a fair trial of strength, thus enabling Japan to pursue her victorious career without alien interruption. Such was Germany's rôle up to the early days of March. Then this Power, hitherto distinguished by its attitude of friendly non-interference, suddenly became apprehensive lest the war party in Japan might drive the Cabinet beyond the bounds of prudence. Accordingly, the German Minister in Tokyo was "instructed to recommend to the Japanese Government a policy of moderation in drawing up the conditions of peace," and to add that "the demand for a cession of territory on the continent would, in the eyes of Germany, be particularly calculated to provoke an intervention of European Powers." It is well to understand exactly the situation as it existed at this stage, according to the *Cologne Gazette*. Let us put the case into a more concrete form. A and B are engaged in a struggle. C stands by, "emphatically and successfully" holding back several other letters of the alphabet that are inclined to interfere before the drubbing administered by A to B is completed. A gets B down and is about to despoil him, when C says:—"You had better not take any part of B's coat, for, if you do, I am persuaded that some of those meddlesome letters will combine to preserve the integrity of that garment on B's behalf." What interpretation would A put upon such a warning? Could he, by any stretch of imagination, translate it to mean that if he meddled with B's coat, C would not only cease to keep the lists, but would actually collect a party of the other letters and act as their leader in a combined attempt to take back B's garment from the victorious A? To anticipate such a contingency, A would require a singularly elastic imagination. Were he accustomed to measure events by any ordinary standard of perspicacity, and to look for some consistency in the procedure of responsible persons, he could never construe C's warning as an indication that C himself intended, in the given contingency, to abandon the rôle of a friendly neutral and assume that of an active interferer. He would necessarily regard the intimation simply as a well disposed hint that unpleasant combinations might be formed by outsiders unless he displayed moderation in the matter of the coat. Such, we may be assured, was the interpretation put by Japan upon the warning addressed to her by Germany early in March. We now proceed to the next chapter of the story as related by the *Cologne Gazette*. A few weeks later, Japan's conditions of peace having been conveyed to the European

Powers, Germany discovered that her counsels of moderation lest other Powers should interfere, had not been observed, and that a portion of Manchuria was included in the territory demanded from China by Japan. What did the Cabinet in Berlin do then, according to the *Cologne Gazette?* It proceeded to organize the very combination against which, as a friendly outsider, it had warned Japan. We are not speaking from our own knowledge. We are simply following the *Cologne Gazette.* There is no possibility of misunderstanding that journal's statements. When Germany, we are told, found that attention had not been paid to her "friendly advice," "the first steps were taken towards bringing about an understanding on this subject between the European Powers." No such understanding, we are led to conclude, had existed previously. The "first steps" were then taken to bring it about. They were successful steps. "A complete agreement of opinion was obtained between Germany and Russia, and the cöoperation of France having been also secured, the three Powers took diplomatic action for guarding their interests in Asia." Germany, therefore, was the head and front of the whole affair. Up to a certain point she held the other Powers in check. Then she gave to Japan a friendly warning, bearing only one rational construction, namely, that of a warning against a possible combination in which Germany herself would take no part. Then she proceeded to organize the combination, and to direct its irresistible strength against Japan.

All this seems to us curious enough as an evidence of amicable intention. But we are further asked to believe that, under the circumstances related by the *Cologne Gazette*, Japan is bound to admit the sufficiency of the warning given to her. What was the warning, and when was its given? It was an intimation "that a demand for a cession of territory on the continent would, in the eyes of Germany, be particularly calculated to provoke an intervention of European Powers," and it was given before any Powers had formed a combination to intervene. Why did neither Germany, Russia, nor France convey to Japan a syllable of intimation after they had entered into an agreement to combine? Japan's terms of peace, as originally formulated, were known to Europe on April 6th. The modified terms, as accepted by China, were known a few days later. The Treaty was signed on April 17th and ratified by the Emperor of JAPAN on April 20th. During all that time not a syllable was breathed about a European coalition for the purpose of dictating to Japan a material change of terms. The Japanese Representatives in Berlin, in St. Petersburg, and in Paris were carefully excluded from the slightest knowledge of what was going forward. Early in March, that is to say, a month before any coalition existed in Europe, Japan received a "friendly hint" that certain procedure on her part would be likely to provoke European intervention, but after that she was kept entirely in the dark. Not even from the Power that had originally conveyed the "friendly hint" and was now engaged in preparing the very embarrassment against which it had warned Japan, did she obtain the slightest intimation of what was impending. Of course Japan has no right to prefer a complaint on that score. She must keep her eyes open on her own account. If she fail to discover the contingencies threatening her, she must accept the consequences. But as a chapter of contemporary history the facts are worthy of note, especially when an attempt is made to construe them in a manner opposed to the truth. The plain truth is that, before any combination existed, Japan received a warning that it might possibly come into existence; that the warning was given by a Power whose action precluded all hypothesis of its own association with the combination; that the combination was subsequently organized by that very Power, and that after its organization not a syllable was breathed to Japan by any of the Powers concerned until the Treaty had been concluded and ratified. If that can be called due or sufficient notice, the language of international relations must be something not contained in any lexicon.

Another question calls for a few words. What right had Germany to play the part described by the *Cologne Gazette?* What principle can be advanced in support of her action? Had she any interests at stake that entitled her to organize and lead a coalition of European Powers for the purpose of intervening between China and Japan? The *Cologne Gazette* attempts to furnish an explanation. Here it is:—

In the first place, the territorial changes are under consideration, partly because the economic terms are not sufficiently known, and partly because it is assumed that the establishment of Japan in important parts of the continent—above all, the possession of a portion of the Liaotung peninsula and the occupation of Weihaiwei as guarantee for the payment of the war indemnity—would constitute a political preponderance of Japan over China, and would exercise a determining influence on the development of China's economic condition, and of the sway of Japan in that country. From this it is concluded that Japan is endeavouring to post itself as a sentry, as it were, before all the chief import routes of China. As Japan commands, by Port Arthur and Weihaiwei, the approach to the Yellow Sea, and, by Formosa and the Pescadores, the chief commercial route to China, it is taken to be desirous of encircling it with a firm girdle, in order, if necessary, to seclude it completely from the outer world. The European Powers, therefore, wish to ward off in time any steps prejudicial to their interests. The Japanese Government has hitherto, in its military action, shown that it possesses calm reflection and a true appreciation of what is attainable, so that the hope is justified that in her diplomatic policy she will take care that the bow be not overstrung. Germany, in particular, will always be glad to see Japan in the full enjoyment of the well earned fruits of military ability, whilst expecting that these successes will not lead to a violation of German interests.

Can any of our readers discover a grain of substantial reasoning in this remarkable assemblage of words? We can not. The only fact we can find is that Germany suspected Japan of a design to obtain command of the commercial routes to China "in order, if necessary, to seclude it completely from the outer world." Here are two Eastern empires, one liberal, progressive, wedded to Western civilization, and pledged to throw open every part of its territories to the trade of all the world; the other conservative, stagnant, bitterly hostile to everything foreign, and anxious to keep its dominions hermetically sealed to Western intercourse in every form. Yet, when there is a prospect of the former's obtaining a situation of command over the latter, the German Government is represented as apprehending that the result may be the second empire's complete seculsion from the outer world! In short, Germany organized and headed a combination of European Powers in order to save China from the anti-progressive and seclusive influence of Japan! Such is the farcical justification that men of common sense are asked to accept. And even that does not cover the whole ground. For it must be remembered that in the very Treaty whose territorial clauses induced Germany to interfere, there were inserted several other clauses providing for the opening of additional Chinese ports to the commerce of the world, and the granting of additional privileges to Western merchants. Thus, despite the strongest practical evidence that Japan's desire was to employ her victory as a means of breaking down Chinese exclusiveness, Germany is represented as fearing that her victory might be made the means of "secluding China completely from the outer world." Germany, the Germany of our time, commands the respect of all nations. She is the type of highly organized strength and splendidly systemized resources. We take it to be miserably unbecoming that plainly deceptive and grotesque excuses should be formulated in defence of the action of such an empire. Let us rather frankly acknowledge that considerations of European policy induced the statesmen of Berlin to take the step here discussed. The East is nothing to Germany: the West is everything. That she should sacrifice the former to the latter is natural. It is not pleasant for Japan to find herself the foot-ball of European politics, but it is, perhaps, less insulting than to be told that her seclusive and conservative influence constitutes a menace to the progress of China.

As Englishmen we are interested in learning that the German Government "emphatically and successfully opposed the attempts of foreign Powers to interfere prematurely in the struggle" between China and Japan. We must be allowed to observe, however, that the spectacle of Germany's "emphatically and successfully" controlling Great Britain's procedure in the East will require a great deal of rehearsal before the world can be induced to regard it seriously.

DIPLOMATIC BUREAU
JUL 1 1895

Acknowledge

No. 281.

INDEX BUREAU
REC'D.
JUL 1 1895
DEPT. OF STATE

Legation of the United States
Tokyo, Japan, June 6th, 1895.

Sir.

Mr. Uhl
to the Acting Secretary of State

Subject:
Return of His Majesty the Emperor
to Tokyo.

No. 281.

Legation of the United States,
Tokyo, Japan, June 6th, 1895.

Honorable Edwin F. Uhl
Acting Secretary of State,
Washington, D. C.

Sir:

After an absence of nine months
His Majesty the Emperor returned to
Tokio on the 30th ultimo.

His Majesty was welcomed by a
tremendous popular demonstration
of joy and loyalty. The streets of
the city were gay with triumphal
arches of evergreens, flags and
other forms of national enthusiasm.

The

The number of people near the line of the Imperial progress from the station to the Palace was immense. As he passed along the Emperor was greeted with loud and prolonged cheers.

I have the honor to be,

Sir,

Your Obedient servant,

Edwin Dun.

3rd. ASST. SECRETARY
1895

No. 282.

Legation of the United States,
Tokyo, Japan, June 6, 1895.

INDEX BUREAU
RECD.
JUL 1 1895
DEPT. OF STATE

DIPLOMATIC BUREAU
JUL 6 1895

Acct. 5 July 95

Mr. Shun
to the Acting Secretary of State

Subject:
Important documents relating to the Shimonoseki Peace Conference.

No. 282.

Legation of the United States

Tokyo, Japan, June 6, 1895.

Honorable Edwin F. Uhl,

Acting Secretary of State

Washington, D.C.

Sir:

I have the honor to enclose herewith a clipping from the "Japan Mail" of June 1, 1895, that purports to give the most important and interesting documents that passed between the Japanese and Chinese Plenipotentiaries at Shimonoseki during the Conference that ended in the treaty of peace signed April 17, 1896.

These

These documents were originally published in the "Peking and Tientsin Times" and are, I have reason to believe, authentic copies of the original documents.

I have the honor to be,

Sir,

Your Obedient servant,

Edwin Dun

Enclosure:

Clippings from "Japan Mail" of June 12th, 1896, as above.

Encl. with Mr. Dun's No. 282.

The Japan Daily Mail.

YOKOHAMA, SATURDAY, JUNE 1, 1895.

THE TREATY OF PEACE.

In a supplement published on May 18th, the *Peking and Tientsin Times* gives in full the principal documents that passed between the Chinese and Japanese Plenipotentiaries at Shimonoseki. The documents were evidently furnished by the Viceroy Li to our Tientsin contemporary with the object of vindicating, in the eyes of the foreign public, his Excellency's manner of conducting the negotiations, and their publication is made the occasion of a panegyric with the spirit of which no one will quarrel, though more moderate terms of expression might have become the subject better. A considerable number of the documents have already appeared in these columns. We now re-produce the most important and interesting of the rest :—

JAPAN'S FIRST DRAFT OF TREATY OF PEACE.

Shimonoseki, April 1st, 1895.

His Majesty the Emperor of Japan and His Majesty the Emperor of China, desiring to restore the blessings of peace to their countries and subjects and to remove all cause for future complications, have named as their Plenipotentiaries for the purpose of concluding a Treaty of Peace, that to say,

(Here insert names and titles of Plenipotentiaries.)

Who after having exchanged their Full Powers, which were found to be in good and proper form, have agreed to the following Articles :—

ART. I.—China recognizes difinitively the full and complete independence and autonomy of Korea, and in consequence the payment of tribute and the performance of ceremonies and formalities by Korea to China in derogation of such independence and autonomy, shall wholly cease for the future.

ART. II.—China cedes to Japan in perpetuity and full sovereignty the following territories together with all fortifications, arsenals and public property thereon :

(*a*).—The southern portion of the Province of Sheng-king within the following boundaries :

The line of demarcation begins at the mouth of the River Yalu, and ascends that stream as far as San-cha-tsu, thence it runs directly North to Yü-shu-ti-hsin ; thence it run directly West until it strikes the River Liao ; it follows from thence the course of that river southward to the 41° North latitude ; from thence it coincides with that parallel of latitude to the westward as far as 122° longitude East of Greenwich and from that point of intersection if follows the same meridian of longitude Southward to the coast of the Bay of Liao-tung where it terminates.

This cession includes all Islands appertaining or belonging to the Province of Sheng-king situated in the eastern portion of the Bay of Liaotung and in the northern part of the Yellow Sea.

(*b*).—The Island of Formosa together with all Islands adjacent or belonging to the said Island of Formosa.

(*c*).—The Pescadores Group, that is to say all Islands lying between the 119° and 120° longitudes East of Greenwich and 23° and 24° North latitudes.

ART. III.—The alignments of the frontiers described in the preceding Article and shown on the annexed map, shall be subject to verification and demarcation on the spot by a Joint Commission of Delimitation consisting of two or more Japanese and two or more Chinese Delegates to be appoint- immediately after the exchange of the ratifications of this Act. In case the boundaries laid down in this Act are found to be defective at any point either on account of topography or in consideration of good administration it shall also be the duty of the Delimitation Commission to rectify the same.

The Delimitation Commission will enter upon its duties as soon as possible as will bring its labours to a conclusion within the period of one year after appointment.

The alignments laid down in this Act, shall, however, be maintained until the ratifications of the Delimitation Commission, if any are made, shall have received the approval of the Governments of Japan and China.

ART. IV.—China agrees to pay to Japan as a war indemnity the sum of 300,000,000 Kuping taels. The said sum to be paid in five installments ; the first installment being 100,000,000 taels and the four remaining installments being 50,000,000 each. The first installment is to be paid within six months after the exchange of ratifications of this Act and the four remaining installments are to be respectively paid on or before the same date of the four succeeding years. Interest at the rate of 5 *per cent. per annum* shall begin to run on all unpaid portions of the said indemnity, from the date the first installment falls due.

ART. V.—The inhabitants of the territories ceded to Japan who wish to take up their residence outside the ceded districts shall be at liberty to sell their real property and retire. For this purpose a period of two years from the date of the exchange of the ratifications of the present Act shall be granted. At the expiration of that period those of the inhabitants who shall not have left such territories shall, at the option of Japan, be deemed to be Japanese subjects.

ART. VI.—All treaties between Japan and China having come to an end in consequence of war, China engages immediately upon the exchange of the ratifications of this Act, to appoint Plenipotentiaries to conclude with the Japanese Plenipotentiaries a Treaty of Commerce and Navigation and a convention to regulate Frontier Intercourse and Trade. The Treaties, Conventions, and Regulations now subsisting between China and European Powers shall serve as a basis for the said Treaty and Convention between Japan and China. From the date of the exchange of the ratifications of this Act until the said Treaty and Convention are brought into actual operation the Japanese Government ; its officials ; commerce ; navigation ; frontier intercourse and trade ; industries ; ships and subjects shall in every respect be accorded by China most favoured nation treatment.

China makes in addition the following concessions to take effect six months after the date of the present Act :

1st.—The following cities, towns, and ports, in addition to those already opened, are opened to the trade, residence, industries and manufactures of Japanese subjects, under the same conditions and with the same privileges and facilities as exist at the present open cities, towns, and ports of China :

1.—Peking.
2.—Shashih in the Province of Hupeh.
3.—Siangtan in the Province of Hunan.
4.—Chung-king in the Province of Szechuen.
5.—Wu-chow in the Province of Kwang-si.
6.—Su-chow in the Province of Kiang-su.
7.—Hang-chow in the Province of Chekiang.

The Japanese Government shall have the right to station Consuls at any or all the above named places.

2nd.—Steam navigation for vessels under the Japanese flag for the conveyance of passengers and cargo shall be extended to the following places:

1.—On the Upper Yangtsze River from Ichang to Chung-king.
2.—On the Siang River and Lake Tung Ting from the Yangtsze River to Siangtan.
3.—On the West River from Canton to Wu-chow.
4.—On the Woo-sung River and the Canal from Shanghai to Suchow and Hangchow.

The Rules and Regulations which now govern the navigation of the inland waters of China by foreign vessels shall, so far as applicable, be enforced in respect of the above named routes, until new Rules and Regulations are conjointly agreed to.

3rd.—All goods imported into China by Japanese subjects, upon the payment, either at the time of entry or subsequently at the option of the importer or owner, of a commutation tax or duty of two per cent. upon the original cost, shall thereafter in every part of China, be exempt from all taxes, imposts, duties, charges, and exactions of whatever nature or under whatever denomination levied in the name or for the profit of the Government, public functionaries, private individuals, corporations, or establishments of any kind. In like manner and to the same extent but without the payment of any commutation tax or duty whatever, an equal immunity from every kind of taxation shall be accorded by China in respect of all Chinese goods and produce purchased in China by Japanese subjects and declared to be for export, such immunity from taxation shall exist from the date of such declaration up to the time of actual exportation. All Chinese goods and produce intended for home consumption, when conveyed in Japanese vessels from one open port to another open port in China, shall, upon the payment of the coasting trade dues, existing at this time, be, in the same manner and to the same extent, exempt, during the whole process of such conveyance, from all kinds of taxation, including import and export duties. It is, however, understood that the foregoing stipulations do not in anywise affect any arrangement for the time being in force regarding the taxation of imported opium.

4th.—Japanese subjects purchasing goods or produce in the interior of China or transporting imported merchandise into the interior of China, shall have the right temporarily to rent or hire warehouses for the storage of the articles so purchased or transported, without the payment of any taxes or exactions whatever and without the interference of any Chinese officials.

5th.—The Kuping tael shall be taken to be the tael in which all taxes, duties, and fees are payable by Japanese subjects in China, and all such taxes, duties, and fees may be paid in standard Japanese silver yen at their face or representative value.

6th.—Japanese subjects shall be free to engage in all kinds of manufacturing industries in China and shall be at liberty to import into China all kinds of machinery, paying only the stipulated import duties thereon.

All articles manufactured by Japanese subjects in China, shall in respect of inland transit and internal taxes, duties, charges, and exactions of all kinds, and also in respect of warehousing and storage facilities in the interior of China, stand upon the same footing and enjoy the same privileges and exemptions as merchandise imported by Japanese subjects into China.

7th.—China engages to at once proceed under the advice of experts to remove the Woo-sung bar at the mouth of the Huang Pu River in such manner as to maintain constantly a clear channel of at least twenty feet in depth at low water.

In the event additional Rules and Regulations are necessary in connection with these concessions, they shall be embodied in the Treaty of Commerce and Navigation provided for by this Article.

ART. VII.—Subject to the provisions of the next succeeding Article, the evacuation of China by the Armies of Japan shall be completely effected within three months after the exchange of the ratifications of the present Act.

ART. VIII.—As a guarantee of the faithful performance of the Act, China consents to the temporary occupation by the military forces of Japan of the following places:

Fengtien Fu (Mukden) in the Province Shengking.

Weihaihai in the Province of Shantung.

Fengtien Fu shall be evacuated by Japan upon the payment of the first two instalments of the war indemnity herein stipulated for, and Weihaiwei shall be evacuated upon the payment of the final instalment of said indemnity. It is, however, expressly understood that no evacuation shall take place until after the exchange of the ratifications of the Treaty of Commerce and Navigation.

All expenses connected with this temporary occupation shall be defrayed by China.

ART. IX.—Immediately upon the exchange of the ratifications of this Act, all prisoners of war then held shall be restored and China undertakes not to ill-treat or punish prisoners of war so restored to her by Japan. China also engages to at once release all Japanese subjects accused of being military spies or charged with any other military offences. China further engages not to punish in any manner nor to allow to be punished those Chinese subjects who have in any manner been compromised in their relations with the Japanese army during the war.

ART. X.—All offensive military operations shall cease upon the exchange of the ratifications of this Act.

ART. XI.—The present Act shall be ratified by their Majesties the Emperor of Japan and the Emperor of China and the ratifications shall be exchanged at.....on the.....day of the.....month of the 28th year of Meiji, corresponding to.....

In Witness whereof the respective Plenipotentiaries have signed the same and have affixed thereto the seal of their arms.

Done at Shimonoseki in duplicate, this.....day of the.....month of the 28th year of Meiji, corresponding to .....

CHINA'S REPLY.

Shimonoseki, April 5th, 1895.

In the brief time agreed upon within which I was to make my examination and reply to the draft of Treaty proposed by Their Excellencies the Japanese Plenipotentiaries, I have given to the important subject the most earnest study and care which it has been possible to devote to it, in view of the physical disability under which, unfortunately for my country, I am now suffering. If, therefore, this memorandum should not be as complete as might be desired, I can only plead these causes in excuse, and trust that within a few days I shall be able to answer fully and specifically all the points desired by the Japanese Plenipotentiaries.

Without taking up every Article in detail, I have sought to group together my views under the four important questions involved in the negotiations and embraced in the draft of Treaty, namely;

1st, Korea; 2nd, Cession of Territory; 3rd, Indemnity; 4th, Commercial Privileges.

1.—KOREA.

The Chinese Government some months ago indicated its willingness to recognize the full and complete independence and guarantee the complete neutrality of Korea, and is ready to insert such a stipulation in the Treaty; but in due reciprocity, such stipulation should likewise be made by Japan. Hence the Article will require to be modified in this respect.

2.—CESSION OF TERRITORY.

The preamble to the proposed draft of Treaty sets forth that the object of making it is "to remove all cause for future complications." But this Article in place of promoting that object, contains provisions which, if insisted upon and enforced, will be the sure and fruitful source of complications which may be transmitted through many generations.

It is the duty of the Plenipotentiaries of the two Governments, and it is a part of wise statesmanship, to negotiate such a peace as will make true friends and allies of these two great nations of the Orient, who are and must remain neighbours, and who have in common so many things in their history, literature, art, and commerce. Territory long held by a nation, through many centuries and dynasties, becomes a priceless heritage. Nothing will so arouse the indignation of the people of China and create in them a spirit of undying hostility and hatred, as to wrest from their country important portions of their territory.

This will be especially the case with that portion of territory described in clause (*a*) of this Article, because it gives Japan foot-hold and base for military and naval operations within easy reach of and constantly threatening the capital of the Empire, and because it takes from the present dynasty of China a portion of its ancient possessions. In this clause China hears Japan saying: "I am going "to be your ever-threatening and undying "enemy, with my army and navy ready to "pounce down upon your capital when it suits "me, and I propose to humiliate your Emperor "by taking from him a valuable portion of his "ancestors' home."

It further means a line of fortifications along the whole coterminous frontier; large standing armies and navies near at hand at great expense to both nations, and constant danger from frontier broils and from the lawlessness on both sides of the dividing line.

Japan, inaugurating the war, announced her object to be to secure the complete independence of Korea, and her diplomatic ministers in Europe and America declared that it was not the purpose of their Government to wage a war of conquest. If it should be consistent with these declarations, it is entirely possible to so modify Article II. and other Articles to be specified, as to make a lasting peace and one which will in the future make the two great peoples of the East sincere friends, and thus stand as an immovable bulwark against the encroachments of hostile nations. But if a peace is to be exacted by Japan through the successful fortunes of war, which will necessarily awaken in the Chinese people a spirit of hostility and revenge, it may well be anticipated that both nations, without any bond of sympathy or interest, will fall a prey to outside enemies.

3—Indemnity.

China does not think it is just to require her to pay an indemnity for the expenses of a war in which she does not regard herself as the aggressor, and during which she has not invaded Japanese territory; hence it seems illogical for China to pay an indemnity. But in view of the fact that my Government, desiring to bring the unfortunate war to a close, so as to relieve the people from suffering, in October last promised through the American Minister to pay indemnity, and in view of the further fact that an indemnity was one of the conditions mentioned among the terms announced by Japan on the 17th of February last, through the Minister of the United States in Peking, I am prepared to insert in the Treaty a provision for a reasonable indemnity.

In the first place, it is to be noted that Japan stated the object of the war was to secure the complete independence of Korea. On November 22nd of last year it was announced to the foreign Governments that China was ready to acknowledge the independence of Korea; and the expenses of the war beyond that time ought not to be included in the indemnity.

In requiring an indemnity of China it should not be fixed at a sum beyond her ability to pay, as her failure to pay would be held by Japan to be a violation of the Treaty and might lead to a renewal of the war. The amount demanded is beyond the ability of China to pay under her present system of taxation. To increase the internal or domestic taxes at this time would lead to great discontent and probably to insurrection, especially when added to the dissatisfaction of the people with the Emperor and his Government for making what they will style a humiliating and dishonourable peace. The Customs tariff on imports and exports cannot be increased, because of treaties with foreign Governments which require ten years notice and the unanimous consent of the Governments concerned.

This latter source of revenue is the only available fund which can be hypothecated or pledged to bankers or capitalists in negotiating foreign loans. It is already so fully pledged for war loans that only a part of it can be made available for a loan to pay off the indemnity. From a statement prepared by the Commissioner of foreign Customs at Shanghai, March 1st last, it appears that the Customs revenues of China were on that date pledged for the payment of war loans, in 1895, of Haikuan Taels 3,937,420; in 1896, of Haikuan Taels 6,281,620; in 1897, of Haikuan Taels 5,142,238; and that upon these war loans it will be necessary within twenty years to pay Haikuan Taels 78,017,103 out of the Customs revenues. It is to be noted that since March 1st the amount of these loans has been considerably increased.

The credit of the Chinese Government and its ability to negotiate a loan have been greatly injured by the war. It has been compelled to pay 7 and even 8½ per cent. interest, and the lowest rate it has obtained abroad (and that for a small sum only), was 6 per cent. with a heavy discount on the face value of the bonds. It is claimed by prominent and experienced bankers that the best rate which can be obtained at the conclusion of peace is 6½ to 7 per cent. on the full value of the bonds.

The average annual total revenue received from Chinese Customs including transit dues and opium likin, from 1890 to 1893 inclusive, amounts to Haikuan Taels 22,548,150; and of this sum it has heretofore been customary to pay over to the Provincial authorities six-tenths. If this important sum of ready cash is diverted to pay the Indemnity, new taxation will have to be imposed in the Provinces and the people would complain. If a foreign loan is sought to be made to meet the indemnity asked by Japan, it would require in principal and interest, at 6½ per cent., if redeemable in twenty years, the enormous sum of Haikan Taels 690,000,000, an amount entirely beyond the possibility of the Chinese Government to negotiate and beyond its ability to meet by taxation.

This will be apparent to any one at all acquainted with Chinese revenues, when it is remembered that the indemnity to Japan is not the only financial burden which has been brought upon China by the war, and which must be immediately provided for. As already mentioned, the terms of peace when made known will cause the present dynasty and the Government to become unpopular with many of the Chinese people, and local discontent and disorder may be expected. Besides, there have been called into the field large numbers of raw and undisciplined troops, which with the conclusion of peace must be disbanded, and there is great danger that they will commit acts of robbery and lawlessness which will seriously tax the Government to suppress. The energies of the Government will be tried to the utmost to preserve the peace, and without peace and order it will be impossible to raise even the revenues. It will therefore, become necessary, in order to preserve internal tranquility, to organize and equip an army according to modern methods of warfare, and to rebuild the navy which has been practically destroyed by the war. These will require large and immediate expenditures of money, but it will be impossible to raise the money for these purposes if this heavy indemnity is to be paid. The Government is contemplating various reforms and improvements in the country, but all these will be paralyzed if Japan does not largely reduce her demand.

The indemnity is termed in the draft of proposed Treaty "a war indemnity," which it is supposed means an indemnity to pay the expenses incurred by Japan in the prosecution of the war. But if that is the case, I think the Japanese Plenipotentiaries must admit that the sum demanded is largely in excess of that amount. It is not possible for one not possessed of the official details to know the exact amount of the war expenses of Japan up to the present time, but there are certain official and public data and statements which seem to fix the limits within which that sum may be approximately estimated, and the Japanese Plenipotentiaries will be able to confirm or correct it. It is understood that there was in the Public Treasury of Japan, at the opening of the war, about 30,000.000 *yen*. How much of this sum was used for war purposes is not known to the public, but it may be assumed that all of it was appropriated for that purpose. Soon after the opening of hostilities a war loan of 150,000,000 *yen* was authorized. According to the report in the public press of Japan, the Prime Minister, His Excellency Count Ito, made a speech in the Lower House of the Japanese Parliament on the 20th of February last, in which after referring to the failure of negotiations at Hiroshima early in that month, he used this language: "From the subsequent state of the war and under the present circumstances it is difficult to tell when peace will be restored, and it is not improbable that the war fund may become insufficient." He thereupon asked the Parliament to authorize an additional war loan to meet the emergency of a considerable prolongation of the war.

It seems fair to infer from this speech that the first war loan had not been exhausted and would not be unless the war was continued for some time. The Japanese vernacular newspapers, in referring to this speech and the action of the Parliament on the subject, stated that "the actual need of the fund will be some time in June or July next, and the Government is said to have submitted it to the Diet, not because the money is in urgent need, but because the Diet is just now sitting" (see *Asahi*, quoted in the *Yokohama Gazette*, February 23rd); and the following, "of the first war loan there remains 50,000,000 *yen* to be raised, and of the 80,000,000 already floated a considerable sum has still to be paid up" (see *Kokumin*, as quoted in the *Japan Mail* of February 23rd). In addition, account is to be taken of some popular contributions. But if these statements are to be accepted as approximately correct, it would seem reasonable to believe that the total money expenditure of Japan in the war up to the present time does not exceed 150 million *yen*.

In estimating the war expenditure of Japan, it should not be forgotten that victory has given that country many valuable spoils of war, such as the captured naval vessels and the large amount of military material and supplies, which should fairly be deducted in fixing the gross amount of the indemnity.

To charge China with interest on the deferred payments of the indemnity is an onerous and unreasonable provision, and becomes doubly so when the enormous amount demanded is considered.

4.—Commercial Privileges.

In the very brief time allowed for an examination and reply to the Treaty draft, it has not been possible to study fully the complex and detailed questions to which the commercial privileges and stipulations asked for give rise. The following must be taken as merely an expression of views, and full reservation is made to add to or correct them hereafter. It is hoped, however, that the following statement may aid the Japanese Penipotentiaries in understanding some of the clauses to which China is disposed to agree and some respecting which modifications will be asked.

War having suspended the operation of the late Commercial Treaty, a new agreement is recognized by China as necessary, and she is ready to accept the existing treaties with Foreign Powers as the basis of negotiations; it will require, however, in due reciprocity that a stipulation be added to the introductory paragraph of the Article, granting favoured nation treatment to China in Japan.

Reply is for the present reserved on the 1st and 2nd Clauses.

The 3rd Clause provides for a reduction of the transit dues on Japanese imported goods to two *per cent.*, or a practical decrease of one half of one *per cent.*; and it is proposed to abolish altogether the existing dues on goods exported. When it is remembered that this same Treaty draft contains an Article demanding of China the payment of an indemnity beyond her present power to make, it seems most inappropriate to ask China to give up up any of her existing sources of revenue. Rather ought Japan in view of what has been stated respecting the Customs revenues, to agree to an increase of that tariff. At the same time that Japan is negotiating with Foreign Powers to secure an increase of her own tariff, it is hardly consistent to demand of China a reduction of her already low tariff.

The effect or object of the 3rd clause appears to be to exempt foreign goods from any dues or likin tax whatever after they have passed out of the hands of the importer or foreign owner. This is a subject which has been often considered with foreign diplomatic representatives at Peking, and the fairness of such a claim has never been shown. There is no government which more jealously guards it commercial privileges than Great Britain, and her subjects engaged in the Chinese trade have often moved her Ministers to secure relief from the likin tax, but without success. Lord Elgin, who accompanied the British army to Peking, and exacted from China after the occupation all the commercial privileges which he deemed just on the part of the victor, rejected the claim as now proposed and said he "did not see his way clear to further protection of imports against taxation once they have passed into the hands of a Chinese purchaser." (British Government Blue-book on Revision of Treaty of Tientsin, 1871, p. 443.) The British Board of Trade, having official supervision of foreign commerce, examined this subject at the request of the British Office of Foreign Affairs, and decided that "to insure the sale of the (imported) goods to their ultimate consumer with no enhancement of cost derived from taxation * * * * is a view which cannot be entertained by Her Majesty's Government. There is nothing in the Treaty which appears to my Lords to justify such a sweeping demand, and in view of the internal taxation to which native goods are subject in China, it would be in their opinion both unjust and inexpedient to enforce such a demand, event if it were warranted by the terms of Treaty stipulations" (Ib. p. 357.) Sir Thomas Wade, so familiar with Chinese trade, and so long the able representative of Her Majesty's interests at Peking, said the likin tax "is not in its nature more open to objection than our income tax, nor, indeed, to any extraordinary tax by which a State short of money may recruit its finances." And again, referring to the abuse to which the privilege asked for in 3rd clause would give rise, he said, "it is hard enough on the Provincial Governments that they must give up their tolls on goods that are foreign-owned; but it will be harder still if Chinese, armed with foreigner's certificates, are to carry Chinese-owned goods toll-free from end of the Empire to the other." (Ib. pp. 444 and 447.) In view of these declarations, so well founded in justice and propriety, I feel sure the Japanese Plenipotentiaries will be willing to modify their proposition so as to secure the protection of imported goods only as they remain in the possession of the foreign owner. This will be secured by granting to Japan favoured nation treatment, and Japan should be satisfied with that.

It may be remarked on the 4th clause that, laying aside for the present the consideration of the justice of this claim, its prudence may be seriously questioned. To allow foreign merchants to temporarily establish themselves at great distances from the treaty ports, beyond the protection and control of their Consuls, would seem to be inconsistent with the practice of extraterritoriality, and greatly embarrassing to the Chinese authorities. Sir Thomas Wade, in discussing a similar proposition presented by British merchants, said: "I am decidedly against any sweeping demand with reference to it. * * * * We are bound to ask nothing from her (China) except when we see our way to a fair provision for the control of the extraterritoralized foreigner." And again, "if our merchants are to congregate in any number in a Chinese town or suburb inland, I shall be much mistaken if we do not soon find the necessity of a land concession forced upon us." (Ib. pp. 435 and 449).

The 6th clause refers to the privilege of importing machinery into China to convert Chinese raw materials into manufactured goods, a question which has been much discussed with the Diplomatic *corps* at Peking, and which has been settled against the privileges asked for in this clause. The prohibition of foreigners from engaging in China in manufacturing industries has been one of long standing and in which Foreign Governments have acquiesced, as a prohibition which properly belongs to the sovereignty and independence of a nation. To allow foreigners to enter and establish factories for converting the natural products into manufactured goods would tend to destroy the livelihood of the Chinese and work a serious injury to native industries which it is the duty of the Government to protect. The regulation is one which has been in existence for many years and one which has been adopted by other nations, and should not now be abolished. The provision inserted in the 6th clause exempting all articles manufactured by Japanese in China from all internal taxation is most objectionable and unduly discriminating. Besides, if these privileges are granted to Japanese subjects, they must necessarily be extended to all nations which have treaties with China, and the ruin of the native industries would be swift and certain.

The provisions contained in Article VIII., making the evacuation of the places named therein dependent upon the conclusion of the Treaty of Commerce provided for in Article VI., seems an unnecessary and unreasonable provision. By the terms of the latter Article, Japan is at once guaranteed the most favoured nation treatment, and thereby placed on an equality in respect to commerce with all competitors.

The foregoing embraces a review of all the important and essential provisions contained in the draft of Treaty submitted for my consideration, and to which I have made a frank and as complete a reply as has been possible under the circumstances. A few Articles of minor importance or of mere detail have not been noticed, but it is believed that if an accord should happily be reached on the four questions above discussed, the Articles not treated of may be arranged in due time.

I trust I may be pardoned for saying that I have served my country for half a century, and it may be that I am nearing the end of my days. This mission is probably the last important service I will be permitted to render my Sovereign and his subjects. It is my sincere desire and my highest ambition to reach such a conclusion of our negotiations as will bring lasting peace and friendship to the people and Governments which we represent.

We should listen to the voice of reason; we should be so controlled by the highest principles of statesmanship as to safeguard the interests and the future welfare of these two great peoples, whose destinies and happiness for many generations are now in our hands.

It matters little to Japan, in this time of her abounding prosperity and greatness and in the abundance of able men, whether she to-day receives a larger or smaller indemnity, or whether she enlarges her boundaries by the annexation of a greater or smaller portion of the territory now within the reach of her armies; but it is a matter of vast moment to her future greatness and the happiness of her people, whether or not by the negotiations now in hand her Plenipotentiaries make of the Chinese nation firm friends and allies or inveterate foes. As their representative, I stand ready to join hands with Their Excellencies the Plenipotentiaries of Japan, in making such a peace as will leave no seeds of enmity to spring up and curse us in future generations, and such a peace will bring honour to us and blessing and enduring friendship to the two great nations of the Orient.

LI HUNG-CHANG,
Ambassador Plenipotentiary of
His Majesty the Emperor of China.

CHINA ASKED TO FORMULATE HER PROPOSALS.

Shimonoseki, April 6th, 1895.

At the meeting of the 1st day of the 4th month of the 28th year of Meiji (April 1st, 1895), the Plenipotentiaries of His Majesty the Emperor of Japan, proposed that in presenting the conditions of peace, a mode of procedure should be adopted by which the draft Treaty of Peace would be presented Article by Article, and the Plenipotentiary of His Majesty the Emperor of China should express his acceptance or non-acceptance of the several articles one by one, thus disposing of each article in succession.

In view, however, of a desire repeatedly expressed by the Chinese Plenipotentiary that the draft Treaty might be presented to him *en bloc*, the Japanese Plenipotentiaries finally complying with his wishes, presented to him the draft Treaty in its entirety, under an assurance that he would, within the space of four days' time either signify his acceptance of the Treaty as a whole or indicate the particulars in which it was unacceptable.

In now examining the memorandum presented by the Chinese Plenipotentiary, the Japanese Plenipotentiaries are disappointed to find that the communication is confined to an elaborate recital of the domestic difficulties of the Empire of China coupled with a request to the Japanese Plenipotentiaries for a reconsideration of the conditions of peace.

The memorandum not only cannot be taken as a reply to the draft Treaty presented by the Japanese Plenipotentiaries but it fails even to definitely express the wishes or desires of the Chinese Plenipotentiary.

In conclusion, reminding the Chinese Plenipotentiary that the domestic difficulties of China do not properly fall within the sphere of the present discussion, and that demands arising as a consequence of war cannot be regarded as matters for negotiation in the ordinary acceptation of that term, the Japanese Plenipotentiaries beg to express their desire that the Chinese Plenipotentiary will, without additional delay definitively announce his acceptance or non-acceptance of the draft Treaty of Peace already presented, either *en bloc* or severally article by article, and in case any alterations are desired, that he will present them in concrete form.

Counter-proposal by the Chinese Plenipotentiary.

Shimonoseki, April 9th, 1895.

It is a source of much regret and disappointment to me that the Memorandum which I sent to the Japanese Plenipotentiaries on the 5th instant should not have been regarded as satisfactory. So far from its being confined to a recital of the domestic difficulties of China, it will be found to be a specific expression of my views on every important Article and paragraph in the draft of Treaty submitted for my consideration.

But in my earnest desire to conform to the utmost of my power to the wishes and convenience of the Japanese Plenipotentiaries, I have prepared and send herewith a counter-draft of Treaty which will be found to constitute a reply to every Article in the draft of Treaty submitted by the Japanese Plenipotentiaries. It will be noted that a new Article has been added, which I trust will be found acceptable.

The counter-draft made under my responsibility as a Plenipotentiary is the extent to which it is possible for me to go in the present stage of negotiations. If the propositions therein contained do not meet fully the views of the Japanese Plenipotentiaries, I feel sure an agreement may be most readily promoted by verbal conferences; and, in view of the short time remaining of the armistice, I hope the Japanese Plenipotentiaries will fix a time for a conference with the least delay possible.

China's Counter-draft of Treaty of Peace.

Shimonoseki, April 9th, 1895.

His Majesty the Emperor of China and His Majesty the Emperor of Japan, desiring to restore the blessings of peace to their countries, and to establish upon a solid basis relations of friendship and intercourse which shall confer reciprocal benefits upon the subjects of both, and assure the harmony and mutual confidence which should subsist between good neighbours, have named as their Plenipotentiaries for the purpose of concluding a Treaty of Peace, that is to say:

His Majesty the Emperor of China .....
and His Majesty the Emperor of Japan .....
who, after having exchanged their Full Powers, which were found to be in good and proper form, have agreed to the following Articles:

Art. I.—China and Japan recognize definitely the full and complete independence and autonomy and guarantee the complete neutrality of Korea, and it is agreed that the interference by either in the internal affairs of Korea in derogation of such autonomy, or the performance of ceremonies and formalities by Korea inconsistent with such indepedence, shall wholly cease for the future.

Art. II.—China cedes to Japan in full sovereignty the following territories together with all towns and cities, public offices, granaries, barracks, and public buildings therein.

(*a*). One prefecture, one sub-prefecture, and two districts in the South of the Fêng-tien Province, namely:

1.—The district of An-tung.
2.—The district of Kung-tien.
3.—The prefecture of Fêng-hwang.
4.—The Sub-prefecture of Hsiu-yen.

The boundaries of the above-mentioned prefecture, sub-prefecture and districts shall be taken in strict accordance with the Chinese official surveys.

(*b*).—The Pescadores group of islands, lying within the 23rd and 24th parallels of latitude and the 119th and 120th degree of longtitude East.

Art. III.—(Japanese text accepted without change.)

Art. IV.—China agrees to pay to Japan as a war indemnity the sum of 100,000,000 Kuping Taels. The said sum is to be paid in five installments, the first installment being 28,000,000 Kuping Taels, and the four remaining instalments being 18,000,000 Kuping Taels each. The first installment is to be paid within six months after the exchange of ratifications of this Treaty, and the four remaining instalments are to be respectively paid within each of the four succeeding years which terminate six months after the exchange of ratifications of this Treaty; but China shall have the right to anticipate at her pleasure any or all of said installments.

Art. V.—The inhabitants of the territories ceded to Japan, who wish to take up their residence outside the ceded districts, shall be at full liberty to sell their real and personal property and retire, without their being subjected, on this account, to any contribution, tax, or charge whatever. For this purpose a period of two years from the date of the exchange of the ratifications of the present Treaty shall be granted. At the expiration of that period those of the inhabitants who shall not have left such territories shall be deemed Japanese subjects.

The property in the ceded territories, real and personal, owned by non-resident Chinese shall be respected by the Japanese Government, and shall enjoy the same guarantees as if belonging to Japanese subjects.

Art. VI.—All treaties between China and Japan having come to an end in consequence of war, China and Japan engage immediately upon the exchange of the ratifications of this Treaty, to appoint Plenipotentiaries to conclude a treaty of commerce and navigation and a convention to regulate frontier intercourse and trade. The treaties, conventions, and regulations now subsisting between China and European powers shall serve as a basis for the said treaty and convention between China and Japan, and as regards all the open ports, navigation, taxation, storage of goods, the mode of taxation, &c, Japan will be treated in the same way as the most favoured nation. From the date of the exchange of the ratifications of this treaty until the said treaty and convention are brought into actual operation, the Japanese Government, its officials, commerce, navigation, frontier intercourse and trade, industries, ships, and subjects shall in every respect be accorded by China most favoured nation treatment.

And reciprocally from the date of the exchange of the ratifications of this Treaty until the said Treaty and convention are brought into actual operation, the Chinese Government, its officials, commerce, navigation, frontier intercourse, and trade, industries, ships, and subjects, shall in every respect be accorded by Japan most favoured nation treatment.

Art. VII.—Subject to the provisions of the next succeeding Article, the evacuation of China by the armies of Japan shall be completely effected within one month after the exchange of the ratifications of the present Treaty.

Art. VIII.—As a guarantee of the faithful performance of the stipulations of this Treaty, China consents to the temporary occupation by the military forces of Japan of Weihaiwei in the province of Shantung. Upon the payment of the first two installments of the war indemnity herein stipulated for, one half of the Japanese forces stationed there shall be withdrawn and upon the payment of the final installment of the said indemnity, the said place shall be evacuated by the remaining Japanese forces.

Art. IX.—(Japanese draft accepted without change.)

Art. X.—All offensive military operations shall cease open the signing of the Treaty by the Plenipotentiaries of both countries.

Art. XI.—In order to avoid future conflict or war between China and Japan, it is agreed that should any question hereafter arise as to the interpretation or execution of the present Treaty of Peace, or as to the negotiation, interpretation, or execution of the Treaty of commerce and navigation and the convention for frontier intercourse provided for in Article VI. of this Treaty, which cannot be adjusted by the usual method of diplomatic conference and correspondence between the two Governments, they will submit such question to the decision of an arbitrator to be designated by some friendly Power to be selected by mutual accord of the two Governments, or, in case of failure to agree as to the selection of said Power, then the President of the United States shall be invited to designate the arbitrator; and both Governments agree to accept, abide by, and carry out in good faith the decision of said arbitrator.

Art. XII.—The present Treaty shall be ratified by Their Majesties the Emperor of China and the Emperor of Japan and the ratifications shall be exchanged at .....on the.....
day of the.....month of.....

In witness whereof the respective Plenipotentiaries have signed the same and have affixed thereto the seal of their arms.

Japan Replies to Counter-proposal and Reduces Demands.

Shimonoseki, April 10th, 1895.

Preamble.

The Japanese Plenipotentiaries cannot consent to any amendment of the Preamble.

Art. I.—The Japanese Plenipotentiaries find it necessary to adhere to this Article as originally presented to the Chinese Plenipotentiary.

Art. II.—The Japanese Plenipotentiaries find it impossible to accept the amendment hereunder, proposed by the Chinese Plenipotentiary. They consent, however, to modify this original demand so that it shall read as follows:

"China cedes to Japan in perpetuity and full sovereignty the following territories together with all fortifications, arsenals, and public property thereon:

"(*a*).—The southern portion of the Province of Shengking within the following boundaries:

"The line of demarcation begins at the River Yalu and ascends that stream to Anpinghokou; from thence the line runs to Fenghuang; from thence to Haicheng, and from thence to Yingkow where it terminates. The places above named are included in the ceded territory.

"This cession also includes all Islands appertaining or belonging to the Province of Shengking situated in the eastern portion of the Bay of Liaotung and in the northern part of the Yellow Sea.

(*b*).—The Island of Formosa together with all islands adjacent or belonging to the said Island of Formosa.

(*c*).—The Pescadores Group, that is to say, all Islands lying between the 119° and 120° longitude east of Greenwich and the 23° and 24° North latitudes.

Art. IV.—The Japanese Plenipotentiaries cannot accede to the proposal of the Chinese Plenipotentiary hereunder. They will, however, consent to amend their original demand as follows:

"China agrees to pay to Japan as a war indemnity the sum of 200,000,000 Kuping Taels. The said sum to be paid in eight installments. The first instalment of 50,000,000 Taels to be paid within six months, and the second installment of 50,000,000 Taels to be paid within twelve months after the exchange of the ratifications of this Act. The remaining sum to be paid in six equal annual installments as follows:—The first of such equal annual installments to be paid within two years; the second within three years; the third within four years; the fourth within five years; the fifth within six years; and the sixth within seven years after the exchange of ratifications of this Act. Interest at the rate of 5 per centum per annum shall begin to run on all unpaid portions of the said indemnity from the date the first installment falls due. China shall, however, have the right to pay by anticipation at any time any or all of said installments.

Art. V.—The Japanese Plenipotentiaries cannot consent to the Amendments proposed to this Article.

Art. VI.—The Japanese Plenipotentiaries are unable to give their adhesion to the counter proposal hereunder, of the Chinese Plenipotentiary. They will, nevertheless, consent to the following modications of the original Article:

"All treaties between Japan and China having come to an end in consequence of war, China engages, immediately upon the exchange of the ratifications of this Act, to appoint Plenipotentiaries to conclude with the Japanese Plenipotentiaries a Treaty of Commerce and Navigation and a Convention to regulate Frontier Intercourse and Trade. The Treaties, Conventions, and Regulations now subsisting between China and European Powers shall serve as a basis for the said Treaty and Convention between Japan and China. From the date of the exchange of the ratifications of this Act until the said Treaty and Convention are brought into actual operation the Japanese Government: its Officials; Commerce; Navigation; Frontier Intercourse and Trade; Industries; Ships, and Subjects shall in every respect be accorded by China most favoured nation treatment.

"China makes in addition the following concessions to take effect six months after the date of the present Act:

"1st.—The following cities, towns and ports, in addition to those already opened, shall be opened to the trade, residence, industries and manufactures of Japanese subject, under the same conditions and with the same privileges and facilities as exist at the present open cities, towns, and ports of China:

1.—Shashih in the Province of Hupeh.
2.—Chung-king in the Province of Szechuen.
3.—Suchow in the Province of Kiangsu.
4.—Hangchow in the Province of Chekiang.

The Japanese Government shall have the right to station Consuls at any or all of the above-named places.

"2nd.—Steam navigation for vessels under the Japanese flag for the conveyance of passengers and cargo shall be extended to the following places:

1.—On the Upper Yangtsze River from Ichang to Chung-king.
2.—On the Woosung River and the Canal from Shanghai to Suchow and Hangchow.

"The Rules and Regulations which now govern the navigation of the inland waters of China by foreign vessels shall, so far as applicable, be enforced in respect of the above named routes, until new Rules and Regulations are conjointly agreed to.

"3rd.—Japanese subjects purchasing goods or produce in the interior of China or transporting imported merchandize into the interior of China, shall have the right temporarily to rent or hire warehouses for the storage of the articles so purchased or transported, without the payment of any taxes or exactions whatever and without the interference of any Chinese officials.

"4th.—The Kuping tael shall be taken to be the tael in which taxes, duties, and fees are payable by Japanese subjects in China and all such taxes, duties, and fees may be paid in standard Japanese silver yen at their face or representative value.

"5th.—Japanese subjects shall be free to engage in all kinds of manufacturing industries in China, and shall be at liberty to import into China all kinds of machinery, paying only the stipulated import duties thereon.

"All articles manufactured by Japanese subjects in China, shall in respect of inland transit and internal taxes, duties, charges, and exactions of all kinds, and also in respect of warehousing and storage facilities in the interior of China, stand upon the same footing and enjoy the same privileges and exemptions as merchandize imported by Japanese eubjects into China.

"In the event additional Rules and Regulations are necessary in connection with these concessions they shall be embodied in the Treaty of Commerce and Navigation provided for by this Article."

Art. VII.—The Japanese Plenipotentiaries are unable to accept the amendment hereunder.

Art. VIII.—The Japanese Plenipotentiaries cannot accept the substitute proposed hereunder, but they will agree to amend the original Article as follows:

"As a guarantee of the faithful performance of the stipulations of this Act, China consents to the temporary occupation by the Military forces of Japan of Weihaiwei in the Province of Shantung.

"Upon the payment of the first two installments of the war indemnity herein stipulated for and the exchange of the ratifications of the Treaty of Commerce and Navigation, the said place shall be evacuated by the Japanese forces, provided the Chinese Government consents to pledge under suitable and sufficient arrangements, the Customs Revenue of China as security for the payment of the principal and interest of the remaining installments of said indemnity. In the event no such arrangements are concluded, such evacuation shall only take place upon the payment of the final installment of said indemnity.

"It is, however, expressly understood that no such evacuation shall take place until after the exchange of the ratifications of the Treaty of Commerce and Navigation.

"All expenses connected with the temporary occupation shall be defrayed by China."

Art. X.—The Japanese Plenipotentiaries find it necessary to adhere to this Article as originally drafted by them,

Art. XI. (New).—The proposal hereunder cannot be accepted by the Japanese Plenipotentiaries.

Japan's Ultimatum.

Shimonoseki, April 11th, 1895.

His Excellency Count Li Hung-chang, His Imperial Chinese Majesty's Plenipotentiary.

Excellency,—I deem it advisable to confirm in writing the substance of the observations which I had the honour to verbally address to Your Excellency yesterday in connection with the modified conditions of peace which I then presented to you.

I informed Your Excellency and I now desire to repeat that those modified demands must be regarded as final, and that a categorical reply will be expected within the space of four days from yesterday.

I acquainted Your Excellency that the Japanese Plenipotentiaries had not failed to take into serious consideration the remarks with Your Excellency had made respecting the demands of the Imperial Japanese Government as originally formulated, and I stated that a reduction in those demands to the lowest possible point of concession had been made in consequence of those remarks in which Your Excellency had pointed out the difficulties that would confront China if the full measures of Japan's original conditions were insisted upon.

The reduction of the indemnity by one-third; the adoption of easier terms of payment; the acceptance of one place instead of two for temporary occupation; the opportunity of substituting a financial in place of a territorial guarantee; the suppression of the clause regarding commutation and other internal taxation, and the withdrawal of the claim for the removal of the obstruction to navigation at the mouth of the Huang Pu River, would, I explained, relieve China of those financial embarrassments, which in Your Excellency's estimation rendered the full realization of Japan's monetary demands extremely difficult.

I also made it clear to Your Excellency's appreciation, I trust, that the same spirit of conciliation had also contributed to bring about the very large abridgment of Japan's territorial demands.

In conclusion, I permit myself to repeat what I have frequently endeavoured to impress upon Your Excellency's mind, that war is progressive in its consequences as well as its operations and that it is not to be expected that conditions of peace which Japan is now happily able to accept will be possible later on.

I renew to Your Excellency the assurance of my distinguished consideration.

Ito Hirobumi,
H.J.M. Plenipotentiary.

China's Last Protest and Appeal.

Shimonoseki, April 12th, 1895.

His Excellency Count Ito Hirobumi, Plenipotentiary of His Majesty The Emperor of Japan.

Excellency,—The note which your Excellency did me the honour to address to me yesterday respecting the progress and incidents attending the Peace negotiations makes it necessary, in justice to my Government and myself, that I should submit thereto a brief reply.

It is to be borne in mind that I was required to present in writing a categorical reply to the terms of peace demanded by Japan before I should be granted any conference with the Japanese Plenipotentiaries for discussing the terms of peace, and at the first conference granted me for that purpose I was met by the Japanese final proposal as now urged by Your Excellency before any oral discussion had taken place. Under such circumstances, it can hardly be claimed that Japan's final proposal had been reached after a full opportunity had been afforded me to make known the views of my Government.

While it is gratifying to know that the enormous indemnity originally demanded has been somewhat reduced, it still remains an amount far greater than the cost of the war and constitutes a burden too heavy for China to bear, and one which would make it impossible to carry out much-desired reforms and improvements in the country.

It has not been possible for me to understand how the conditions of peace have been made much less onerous by what Your Excellency terms "the very large abridgement of Japan's territorial demands." The line of demarcation in the final proposal includes, with slight exceptions, all the territory in the Province of Shengking which has ever been occupied by the Japanese forces; and in addition the final proposal has demanded the cession of a rich, populous, and important part of the Empire (Formosa) where on no Japanese soldier has yet set foot. Such a demand is not in accord with the practice of nations negotiating for peace.

While I cheerfully recognize the action of the Japanese Plenipotentiaries in abating some of their objectionable commercial demands, the final proposal still remains unprecedented and unreasonable in its terms in this regard and highly derogatory to the sovereignty of an independent nation. It requires the negotiation of a Commercial Treaty and frontier regulations under the duress of retaining Chinese territory and refuses to submit any question of variance to the arbitration of a friendly Power. Pending the negotiation of the Commercial Treaty, it demands favoured nation treatment for Japanese in China, and refuses the same guarantee or any stipulation for Chinese in Japan. It claims the privilege for Japanese to rent warehouses and import and purchase goods and produce at any place in the interior of China away from the Treaty ports, without the interference of any official; also, that the Japanese should have the right to engage in manufacturing industries anywhere in China and without the payment of any domestic taxes on the goods manufactured; and that Japanese coin be made receivable at its face value for payment of duties and taxes.

I have written the foregoing not with the view of provoking further discussion, but with the object of concisely repeating what I said to your Excellency when the terminal proposal was presented to me at the only conference afforded me for discussing terms of peace, and in the hope that the objections here set forth may be carefully considered by Your Excellency and that I may be informed of the result thereon at the next Conference promised me by Your Excellency, at which I expect to submit the reply to the final proposal which my Emperor shall authorize me to make.

I renew to Your Excellency the assurances of my high consideration.

Li Hung-chang,
Ambassador Plenipotentiary of
His Majesty the Emperor of China.

FINAL.

Shimonoseki, April 13th, 1895.

His Excellency Count LI HUNG-CHANG, His Imperial Chinese Majesty's Plenpotentiary.

Excellency,—I have had the honour to receive Your Excellency's Note of yesterday, which professes to be in reply to mine of the day previous.

The object of my communication of the 11th instant, was, by repeating in writing what I had previously verbally declared, to make Your Excellency fully alive to the actual situation. I wished Your Excellency to understand that full consideration had been accorded to Your Excellency's representations and that the modified demands of the Imperial Government must be regarded as final, admitting only of a categorical reply.

I fear, from the Note now under acknowledgment, that my purpose was misinterpreted, since Your Excellency, while disclaiming any wish to provoke a discussion, criticises the final demands of the Imperial Government, as well as the course of procedure which has been followed, and expresses the hope that Your Excellency's objections may be taken into consideration.

It only seems necessary for me to say in response to Your Excellency's Note, that the demands which I handed to Your Excellency on the 10th instant, being final, are no longer open to discussion.

Demands arising as a result of war are not proposals in the ordinary sense of that word and the Japanese Plenipotentiaries by permitting the demands of the Imperial Government to be made the subject of discussion, went to the extreme limit of concession in the interest of peace, and if their spirit of conciliation has been misunderstood they have the right to disclaim all responsibility for the consequences.

It only remains for me to add, in order to prevent future misunderstanding, that my refusal at this time to enter upon a new examination of Japan's demands, does not imply an acquiescence on my part in Your Excellency's observations or conclusions.

I renew to Your Excellency the assurance of my distinguished consideration.

ITO HIROBUMI,

Plenipotentiary of His Majesty The Emperor of Japan.

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DIPLOMATIC BUREAU
JUL 1 1895

No. 283.



Legation of the United States,
Tokyo, Japan, June 6th, 1895.

Rec'd 2 July '95. M

Mr. Uhl
to the Acting Secretary of State.

Subject:
Appointment of Marquis Saionji
as Acting Minister for Foreign Affairs.

R

Recd by tel Clerk

DIPLOMATIC BUREAU
JUL 1 1895

No. 283.



Legation of the United States,
Tokyo, Japan, June 6th, 1895.

Rec'd 2d July '95. M

Mr. Dun
to the Acting Secretary of State.

Subject:
Appointment of Marquis Saïonzi
as Acting Minister for Foreign Affairs.

No. 283.

Legation of the United States.

Tokyo, Japan, June 6th, 1898.

Honorable Edwin F. Uhl

Acting Secretary of State

Washington, D. C.

Sir:

I have the honor to inform you that owing to the continued illness of Viscount Enoken Marquis Saionzi, Minister for Education, was yesterday appointed Acting Minister for Foreign Affairs, to act until Viscount Enoken's health permits him to resume the duties of his office.

I have the honor to be,

Sir,

Sir,

Your Obedient servant,

Edwin Dun

Decimal File

DIPLOMATIC BUREAU
JUL 1 1895

No. 284.

INDEX BUREAU
REC'D.
JUL 1 1895
DEPT OF STATE

Legation of the United States
Tokyo, Japan, June 6th, 1895.

Mr. Dun
to the Acting Secretary of State.

Subject:
Departure of Japanese Minister to China,
for his post of duty.

No. 284.

Legation of the United States
Tokyo, Japan, June 6th, 1895.

Honorable Edwin F. Uhl,
Acting Secretary of State,
Washington, D.C.

Sir:

I have the honor to inform you that Mr. Hayashi Tadasu, until recently Vice-Minister for Foreign affairs, having been appointed Japanese Envoy Extraordinary and Minister Plenipotentiary to China, left Yokohama for his post of duty yesterday, the 5th instant.

I have the honor to be

Sir.

Sir,

Your obedient servant,

Edwin Dun

DIPLOMATIC BUREAU
JUL 2 1895

No. 285.



Legation of the United States,
Tokyo, Japan, June 6, 1895.

Rec'd 2 July 95

Mr. Dun

to the Acting Secretary of State.

Subject:

Death of Honorable W. Q. Gresham,
Secretary of State.

No. 285.

Legation of the United States,
Tokyo, Japan, June 6, 1895.

Honorable Edwin F. Uhl,
Acting Secretary of State,
Washington, D. C.

Sir:-

I have the honor to acknowledge receipt of your two telegrams of the 28th ultimo, the first conveying to me the sad intelligence of the death of the Honorable Walter Q. Gresham, Secretary of State, the second the President's instructions that, as

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a tribute of respect to the memory of the deceased Secretary of State, the flag of this Legation and of the Consulates be half-masted for a period of ten days, and that the customary signals of mourning be displayed for a like period.

I at once communicated copies of your telegrams to the Consuls of the United States in Japan for their guidance and caused the flag of this Legation to be half-masted and the entrance to the Legation offices to be draped

draped. During the period specified, the officers of this Legation will wear crape on the left arm as an emblem of mourning. Upon the receipt of your first telegram, I addressed a note to Viscount Muto, H.I. J. Mis. Minister for Foreign Affairs, informing him of the loss my Country and government had sustained. In response I received from him a note, dated the 1st instant, a copy of which I have the honor to enclose herewith, expressing the profound sorrow caused his government and himself by the receipt

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of the sad news.

The news of Mr. Gresham's death was received by the American community in Japan with feelings of sorrow and regret.

I avail myself of this opportunity to express to the Department, for myself and the staff of this Legation, our sense of the great loss our country has sustained in the death of this eminent citizen together with the feeling of our deep respect and esteem for his memory and sorrow that we and the Department

have

have been thus deprived
of an honored Chief who
fulfilled the trust confided
to his keeping by the
President with honor to his
country and himself.

I have the honor to be,
Sir,
Your obedient Servant,
Edwin Dun

Enclosure:
Viscount Mutsu to Mr. Dun, June 6, 1895,
Copy.

Enclosure with Mr. Dun's No. 285.

(Copy.)

Translation.

No. 18.

Department of Foreign Affairs,
Tokio, the 1st day, the 6th month,
the 28th year of Meiji.
(June 1, 1895.)

His Excellency Edwin Dun
Envoy Extraordinary and Minister Plenipotentiary of
the United States of America.

Sir:-

It was with the utmost surprise that I received Your Excellency's note, No. 108, dated the 29th ult., informing me of the receipt of a telegram from your Government announcing the death of the Honorable Walter Q. Gresham, the United States Secretary of State, on the 28th ultimo, and I beg to request that Your Excellency will be good enough to inform your Government that my Government as well as myself, appreciating the kindly consideration shown by Mr. Gresham during his lifetime towards this country, and especially his great efforts in connection with the revision of the treaty between the two countries, have received the sad news with feelings of the most profound sorrow.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

(Signed.) Viscount Mutsu Munemitsu,
Minister for Foreign Affairs.

Hereby no Fee

DIPLOMATIC BUREAU
JUL 1 1895

No. 286



Legation of the United States,
Tokyo, Japan, June 6, 1895.

Mr. Dun

to the Acting Secretary of State.

Subject:

Instruction ~~No.~~ No. 186 reaches its destination.

No. 286.

Legation of the United States.
Tokyo, Japan, June 6, 1895.

Honorable Edwin F. Uhl,
Acting Secretary of State,
Washington, D. C.

Sir:-

I have the honor to inform you that the Department's instruction No. 186, referred to as missing in my No. 268 of the 9th ultimo has at length reached its destination, it having been forwarded to me by Hon. Denby, our representative at Peking, China.

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I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Received July 1 1895

No. 287.



DIPLOMATIC BUREAU
JUL 1 1895



Legation of the United States
Tokyo, Japan, June 6, 1895.

Mr. Dun
to the Acting Secretary of State.

Subject:
Copies of telegrams.

No. 287.

Legation of the United States,
Tokyo, Japan, June 6, 1895.

Honorable Edwin F. Uhl,
Acting Secretary of State,
Washington, D. C.

Sir-

I have the honor to enclose herewith copies of the following telegrams:

1. 2. Acting Secretary of State to Mr. Dun, two dated May 28, 1895.

3. Mr. Dun to Acting Secretary of State, dated May 29, 1895.

4 Mr. Dun to Mr. Denby, May 31, 1895

5. " " " " " June 6, " .

I

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Enclosures:

Copies of 5 telegrams as above.

Enclosure / with Mr. Dun's No. 287 .

Copy of a telegram received from the Acting-Secretary of State

May 29, 1895.

"Washington, May 28, 1895.

"Dun, Minister, Tokio.

"May twenty-eighth. Secretary Gresham

"died quarter past one this morning.

"Uhl, Acting."

Enclosure 2 with Mr. Dun's No. 267 .

Copy of a telegram received from the Acting-Secretary of State

May 29, 1895.

"Washington, May28, 1895.

"Dun, Minister, Tokio.

"May twenty-eighth. In tribute of "memory of the deceased Secretary of State President directs "that you half mast flag and display customary signals of "mourning for ten days. Notify consuls.

"Uhl, Acting."

Enclosure 8 with Mr. Dun's No. 287 .

Copy of a telegram sent to the Acting Secretary of State, May 29, 1895.

"Tokio, May 29, 1895.

"Acting Secretary State, Washington.

"May twenty-ninth. The President's "instructions relative tribute of respect to memory of "deceased Secretary of State received and observed. Consuls "notified.

"Dun."

Enclosure 4 with Mr. Dun's No. 287.

Copy of telegram sent to American Minister, Peking , May 31st, 1895.

" Tokyo, May 31st, 1895.

"American Minister, Peking.

"May thirty first: You are requested by the Japanese Govern-
"ment to communicate the following to the Chinese Government.-
"The Japanese Government have received through the United
"States Representatives the communication addressed to them by
"the Chinese Government on the 27th instant. In the estimation
"of the Japanese Government the re-establishment of Legations
"is most important for complete restoration of friendly rela-
"tions as well as for speedy disposition of questions contained
"in the communication above referred to by opening a channel
"for direct communication. Under these circumstances the Jap-
"anese Government do not see any necessity for delaying depar-
"ture of their Minister to China. DUN."

Enclosure 5 with Mr. Dun's No. 287.

Copy of telegram sent to American Minister, Peking, June 6th, I895.-

" Tokyo, June 6th, I895.

"American Minister , Peking.

"You are requested by the Japanese Government to communicate "the following to the Chinese Government:- The Japanese Gov- "ernment have the honor to announce to the Chinese Government "that His Excellency Mr. Hayashi took his departure from "Yokohama for his post of duty to-day by a Japanese man-of-war,

DUN".

DIPLOMATIC BUREAU
JUL 11 1895

No. 288.

INDEX BUREAU
REC'D.
JUL 11 1895
DEPT. OF STATE

Legation of the United States.

Tokyo, Japan, June 13, 1895.

1 Copy filed by Bureau of Statistics July 11

1 Copy sent to Bureau of Statistics, Treasury Dept. 11 July 95

Mr. Dun

to the Acting Secretary of State.

Subject:

Two copies of the Annual Return of the Foreign Trade of Japan sent under separate cover.

No. 288.

Legation of the United States,
Tokyo, Japan, June 18, 1895.

Honorable Edwin F. Uhl,
Acting Secretary of State,
Washington, D. C.

Sir:

I have the honor to transmit herewith, under separate cover, two copies of "The Annual "Return of Foreign Trade of "the Empire of Japan for "1894."

I have the honor to be,
Sir,
Your obedient servant,
Edwin Dun

2D ASSISTANT SECRETARY.
Copy Mr. Dunn's report to the complainants -
JUL 13 1895

No. 289.

INDEX BUREAU
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Legation of the United States,
Tokyo, Japan, June 15, 1895.

DIPLOMATIC BUREAU
JUL 18 1895

Vol. China & Japan Trading Co. 15 July 95

Mr. Dunn
to the Acting-Secretary of State.

Subject:
Claim of the China and Japan Trading Company for duty collected on kerosene oil tins.

No. 289.

Legation of the United States,
Tokyo, Japan, June 15, 1895.

Honorable Edwin F. Uhl,
Acting Secretary of State,
Washington, D. C.

Sir:-

I have the honor to acknowledge receipt of your instruction No. 201, of date April 30, 1895, enclosing for my "information, "investigation and report a "copy of a letter from the "China and Japan Trading "Company, Limited," presenting a claim against the Government

J

of Japan for $178,588.34 asserted to have been unjustly collected from that Company by the Japanese Customs authorities who, in estimating the value of the petroleum imported into Japan by that company, had included the value of the tin packing cases alleged to be valueless in Japan; also asserting that this action of the Japanese Customs Authorities is a discrimination against American oil as compared with Russian which is imported in bulk and packed in Japan

Upon

No. 289. II.

Upon inquiry I have ascertained from the Customs Branch of the Revenue Bureau of the Japanese Finance Department that in calculating the dutiable values of all goods imported into Japan subject to ad valorem duty, the cost of the package in which such goods are imported is included. This includes the tins in which Kerosene oil, fruits, meats, vegetables, milk, etc., etc., are imported, also bottles and demijohns containing wines, spirits, aerated waters etc., etc. In fact the dutiable value of

every

every article subject to an ad valorem duty includes the value of its enclosing package at the port of shipment.

The cases or packages in which articles subject to a specific duty are imported, are not taxed by the Customs authorities unless those cases or packages are of considerable Commercial value;- for instance, fancy boxes that have a value in themselves in which handkerchiefs, tea and such like are imported are subject to an ad valorem duty.

duty.

Under the Tariff Convention of 1866, now in force, both Kerosene oil and tin, as enumerated articles, are subject to an ad valorem duty of five per cent.

In the letter from the China and Japan Trading Company it is stated that the packing cases in which Kerosene is exported to Japan are "practically "valueless." As a matter of fact empty Kerosene cans supply a large percentage of the tin used in Japan. It is used for the manufacture

of

of utensils of all kinds, and
for various other purposes.
Just what relation it bears
to the entire amount of
tin imported I am unable
to ascertain, but that
every empty kerosene can
finds a ready sale is a
notorious fact. It is true
that its commercial value
is much less than that
of new tin. Upon inquiry
I find that in Tokyo the
price of two empty
kerosene oil cans in the
wooden box in which
they were imported varies
between 35 and 40 sen.

In

In this condition they are purchased for packing Russian oil imported in bulk and oil from Japanese wells. The price of empty oil cans as tin varies from eight to eleven sen each according to condition. As nearly as I can ascertain, used Kerosene oil can tin brings about one third less than the same amount of new imported tin in sheets. It must, therefore, be considered a commercial commodity and as filling the place of a certain amount of new tin plate that would otherwise be imported.

The

The China and Japan Trading Company claim that the collection of duty on packing cases acts as a discrimination against American oil as compared with the Russian oil. When the manner in which the Kerosene oil trade is conducted in Japan is considered, this claim of the China and Japan Trading Company does not carry conviction to my mind. About one third of the oil consumed in Japan is imported from Russia in bulk. The remaining two thirds comes from the United States and the

oil

oil wells of Japan. Up to this time the most satisfactory and economical means of distributing oil throughout the country has proved to be tin cans enclosed in wooden cases such as those in which the American oil is imported. And, in fact, almost the whole of the Russia oil imported in bulk and the oil from Japanese wells is packed here for distribution in cans and cases exactly similar to those in which the American oil is imported. In fact a large part of the Russian and Japanese oil is packed for

distribution

distribution in cans and boxes that originally contained American oil, and as no tin plate is produced in Japan, the tin in the receptacles, no matter how obtained, in which the Russian and Japanese oil is packed has been subjected to an ad valoriem duty of five per cent.

I understand that the importation of Russian oil in bulk has not proved an entire success as a business enterprise. This seems to be supported by the foreign trade returns for 1894,

1894, which shows, as compared with the return of 1893, a decrease of nearly 3,000,000 gallons in the amount of Russian oil imported, whereas there was an increase in the amount of American oil imported of more than 6,600,000 gallons. From these figures it would hardly seem that the American oil trade with Japan is losing ground.

It appears to me that the cost of oil in Japan to the consumer has been practically determined, for years past, by the cost of American oil, plus profit, laid down in Japan.

and

and that the cost of cans, cases, insurance, commissions, charges, freight and duty has not been borne by the importer, but by the consumer of the oil. It is true that added charges may have lessened the amount of oil consumed and thereby affected the oil business to the disadvantage of the importer, but any loss thus sustained would be diffienlt to measure and certainly the five per cent duty on the value of the cases containing the oil could not very

materialby

materially affect the demand for that article.

As I can find nothing in the Tariff Convention of 1866 that forbids the imposition by Japan of the duty complained of by the China and Japan Trading Company and for reasons stated in this despatch, that Company has, in my opinion, no just claim, in this respect, against the Japanese Government. I have, therefore, not deemed it necessary, at this time, to endeavor to verify the figures relative to the amount of their claim, submitted by

the

the said Company, and shall await the Department's instructions before taking any further action in the matter.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

R

See Dispatch No. 15 from Mr. Dun dated Aug. 5. 1895.

No. 290.

2D ASSISTANT SECRETARY.
Ack. by Number and File, awaiting Japanese reply.
JUL 11 1895

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Legation of the United States,
Tokyo, Japan, June 18, 1895.

DIPLOMATIC BUREAU
JUL 11 1895

Mr. Dun

to the Acting Secretary of State.

Subject:-

Lake property at Nagasaki.

No. 290.

Legation of the United States,
Tokyo, Japan, June 18, 1895.

Honorable Edwin F. Uhl,
Acting Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose herewith copy of a note, of date the 11th instant, which I addressed to Marquis Saionji, H. I. J. M's. acting Minister for Foreign Affairs, in compliance with your instruction No. 202, of May 1st last, in regard to the cancellation of the lease of Mr. George W. Lake at Nagasaki.

I am

In order that the considerations set forth in your instruction might be brought clearly to the attention of the Acting Minister for Foreign affairs, I deemed it best to embody in my note to him, in quotation, almost in entirety, your instruction to me.

When received, I shall at once communicate to the Department the reply of the Minister for Foreign affairs.

I have the honor to be,

Sir,

Your obedient servant.

Edwin Dun

Enclosure. Mr. Dun to Mangin

Saionzi, June 11, 1895.

Enclosure with Mr. Dun's No. .

Copy.

No. 110. Legation of the United States,

Tokyo, June 11, 1895.

His Excellency

Marquis Saionzi Kinmochi,

H. I. J. M's. Acting Minister for Foreign Affairs.

Sir:-

Referring to the Note which His Excellency Viscount Mutsu did me the honor of addressing to me under date of March 1, 1895, relative to the question of certain land at Nagasaki rented by George W. Lake, a citizen of the United States, a copy of which note I had the honor to communicate to my Government, I am now in receipt of an instruction from the Honorable Edwin F. Uhl, Acting Secretary of State, in which I am directed to bring to Your Excellency's attention certain considerations in response to Viscount Mutsu's Note, which I quote below from the instruction of the Acting Secretary of State, and to request "that the question be re-examined" by Your Excellency, "in light of the original and just prop-"ositions."

The considerations referred to above, which I quote from the instruction of the Acting Secretary of State, are as follows:-

"Viscount Mutsu's declaration 'that under the circum-" 'stances of the case I cannot think that it would be either " 'right or proper for the Imperial Government to intervene in

" 'the

" 'the matter' , is not well understood here, and does not
"appear to meet the representations of this Government. It
"seems clear that no proper legal proceedings were instituted
"for the annulment of the lease. Whatever Consul Abercrombie
"may have done in that direction is void because he had no
"power to cancel the leases, and the action taken by him was
"promptly and properly disavowed by you. It is impossible,
"therefore, to admit that Mr. Abercrombie's mistaken course
"can be taken advantage of by the Japanese authorities, to the
"detriment of any right of an American citizen."

"His Excellency suggests difficulties in the way of
"reviving the rights of George W. Lake, on account of the
"new leases which have been made to Edward Lake. It is not
"believed that there would be appreciable difficulty on that
"score. Edward Lake seems to have accepted the leases of the
"two lots as an enforced alternative, and only after the Japan-
"ese authorities had refused to allow them to be held longer
"by George W. Lake."

"That important interest of ownership on the part of
"George W. Lake was involved is shown by the circumstance
"that the third lot for which Edward Lake was unable to
"obtain a new lease except on paying five times the former
"rental contains three or four buildings erected by Lake at an
"expense of several thousand dollars, which buildings could
"not be removed without serious loss."

As instructed by my Government I now have the honor to request that Your Excellency's Government will re-examine the

question

Question of the cancellation of the leases of Mr. George W. Lake in the light of the considerations of the Acting Secretary of State, herewith, in connection with the representations, on practically the same grounds, which I have had the honor, heretofore, to make to His Excellency Viscount Mutsu.

I avail myself of this occasion to renew to Your Excellency the assurances of my hi ghest consideration.

(Signed.) EDWIN DUN.

2D ASSISTANT SECRETARY.
In view of Mr. Allen's approval this extension may be granted subject to statutory conditions - when his application comes.
JUL 8 1895
Inform Mr. Allen.

No. 291.

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Legation of the United States,
Tokyo, Japan, June 20, 1895.

DIPLOMATIC BUREAU.
JUL 8 1895

Returned July 9.

Mr. Dun

to the Acting Secretary of State.

Subject:

Mr. Whitney's leave of absence.

No. 291.

Legation of the United States.
Tokyo, Japan. June 20, 1895.

Honorable Edwin F. Uhl,
Acting Secretary of State,
Washington, D. C.

Sir:-

I have received from Dr. W. N. Whitney, Interpreter of this Legation, a letter dated London, England, May 17, 1895, informing me that the Department had granted him an extension of leave which would expire the 25th of the present month,

and

and requesting me to approve of his making application for a further extension of leave of absence to cover the intervening time between the 25th of June, when his present extended leave expires and the 27th of November next, on or before which time he expects to reach Tokyo.

As Mr. Miller, now acting Interpreter of Legation in Dr. Whitney's place, proves an able and satisfactory substitute, I have no objection to a further extension of Dr. Whitney's leave of

absence

No. 291. II

absence being granted should
the Department see fit
to comply with his request.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

Filed under Legation of the U.S. to Japan

312 Camden Road

London. June 26, 1895.

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JUL 8 1895

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REC'D.
JUL 8 1895
DEPT. of STATE

The Honorable Richard Olney,

Secretary of State,

Washington, D.C.

Sir:

Owing to the serious and almost fatal illness of our little child on the voyage hither from Japan and on that account and for other reasons, the advisability of remaining in this country considerably longer than I had expected, I have addressed today a letter to the United States Minister at Tōkyō, tendering through him my resignation as interpreter to the

Legation

to take effect upon the arrival or qualification at his post of my successor, or at such time as shall suit the Minister's own convenience and now I have the honor to request that 60 days further leave of absence without pay from June 25th may be granted, and that the United States Minister at Tokyo be authorized to continue to draw and pay to my substitute Mr. R. S. Miller, the allowance for interpreter for the legation, as heretofore, during that period or until my successor shall have been duly appointed and qualified at his post so that the legation may not be without an

interpreter

interpreter in the interim.

In this connection I have the honor to refer you to my letter of date April 13th and your instruction dated the 14th ultimo, and also to request that no action be taken in the matter of my resignation until the same shall have been officially communicated to you from the United States Minister at Tōkyō.

I have the honor to be,

Sir,

Your obedient Servant

Willis Norton Whitney

P.S. I have made a copy of this letter to accompany my letter to Mr. Dun.

DIPLOMATIC BUREAU
AUG 1 1895

2D ASSISTANT SECRETARY.
Ack. by Number and File.
AUG 1 1895
aab

No. 292.

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REC'D.
JUL 31 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, July 5. 1895.

Mr. Dun
to the Acting Secretary of State.

Subject:
Mr. Charles Denby, Jr. Secretary of Legation, received in audience by the Emperor of Japan.

No. 292

Legation of the United States,
Tokyo, Japan, July 5, 1895.

Honorable Edwin F. Uhl,
Acting Secretary of State,
Washington, D. C.

Sir:-

I have the honor to inform you that on the 28th ultimo, Mr. Charles Denby, Jr., Secretary of Legation at Peking, was received in audience by the Emperor of Japan, and immediately afterwards, Mr. and Mrs. Denby were received by the Empress.

These

These audiences were granted in recognition of Mr. Denby's action in affording protection to Japanese subjects in China, from the beginning of the War until the middle of October last, during which time Mr. Denby was Chargé d'Affaires a. i. of the United States at Peking.

I have the honor to be,

Sir,

Your obedient Servant,

Edwin Dun

COPIED. FOREIGN RELATIONS.

2D ASSISTANT SECRETARY.
Ack by subject & file.
[For. Rels, 1895.]
AUG 1 1895

No. 293.

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JUL 31 1895
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Legation of the United States.

Tokyo, Japan, July 6, 1895.

DIPLOMATIC BUREAU
AUG 1 1895

Ack Aug 1. 1895

Mr. Dun

to the Acting Secretary of State.

Subject:

The Emperor of Japan receives the diplomatic representatives at Tokyo.

No. 293.

Legation of the United States,
Tokyo, Japan, July 6, 1895.

Honorable Edwin F. Uhl,
Acting Secretary of State,
Washington, D. C.

Sir:

On the 29th ultimo, I, accompanied by the Staff of this Legation, was received in audience by the Emperor, who was most cordial in his reception. I availed myself of the occasion to address His Majesty in the following words:

"I"

"I am much gratified that
"Your Imperial Majesty has
"been pleased to grant me, as
"the Representative of the
"United States, an opportunity
"of offering my sincere con-
"gratulations upon the restor-
"ation of peace, and upon
"the happy return of Your
"Majesty, with restored
"health, to the Imperial
"Capital after many
"months of arduous labor
"and anxiety devoted to
"Your Majesty's People and
"Empire." To which the
Court Interpreter, after
receiving the Emperor's
commands

commands replied as follows:-

"His Majesty is pleased to
"receive your warm and cordial
"congratulations upon his
"return to the Capital.

"He hopes and trusts
"that the peace of the
"East will be maintained
"and preserved in the future.

"Your Government has
"always shown the most
"cordial friendship to Japan
"and, from the beginning
"to the end of the war
"between Japan and China,
"afforded protection to our
"subjects in the latter
"country. His Majesty
"acknowledges

"acknowledges with thanks
"that action on the part
"of your Government and
"desires that you will
"convey this sentiment
"and recognition to the
"President of your Country".

The representatives of
all the other treaty powers
were received by the
Emperor on the same day.
The audiences were granted
upon a representation, made
by the German Minister,
Doyen of the Diplomatic
Corps, requesting that an
opportunity be granted
the foreign representatives

7

of offering their congratulations
to the Emperor upon his
return to the Capital.

I have the honor to be,
Sir,
Your obedient Servant
Edwin Dun

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AUG 5 1895
RECEIVED
DEPARTMENT OF STATE

Aug 5 1895

No. 294

Legation of the United States,
Tokyo, Japan, July 6, 1895.

Mr. Dun

to the Acting Secretary of State.

Subject:

Protest against the sale of the Lake property at Nagasaki by the Japanese authorities

No. 294.

Legation of the United States,
Tokyo, Japan, July 6, 1895.

Honorable Edwin F. Uhl,
Acting Secretary of State,
Washington, D. C.

Sir.-

On the 19th ultimo, Mr. W. H. Abercrombie, U. S. Consul at Nagasaki, informed me by telegraph that the property, (buildings, machinery, etc.), upon the premises known as "Shipyard A, Kozoumachi", formerly leased by George W. Lake.

was

was advertised by the Japanese authorities at Nagasaki to be sold on the 5th of the present month.

In view of the instructions received from the Department, relative to this property, and of the communications in compliance therewith, made by me to the Japanese Government respecting the cancellation of the leases held by Mr. George W. Lake, I deemed it my duty to address a note, on the 20th ultimo, to Marquis Saionzi, Acting

Minister

No. 294. II

Minister for Foreign Affairs,
formally protesting against the
sale of the property.

I have the honor to enclose
herewith a copy of my note
to Marquis Saionzi.

I have the honor to be,

Sir.

Your obedient servant,

Edwin Dun

Enclosure:

Mr. Dun to Marquis Saionzi, June 20, 1895.

Enclosure with Mr. Dun's No. 294.

(Copy.)

No. 116. Legation of the United States,

Tokyo, June 20, 1895.

His Excellency

Marquis Saionzi Kinmochi,

H. I. J. M's. Acting Minister for Foreign Affairs.

Sir:-

I have received information from the United States Consul at Nagasaki to the effect that the Imperial authorities at that place have advertised the sale of buildings, machinery, etc. upon the premises known as "Shipyard A Kozonemachi, Nagasaki," to take place on July 5th, next.

In view of the representations I have had the honor to make to Your Excellency's Government in regard to the cancellation of the said premises by the Imperial authorities, and of the considerations relative thereto from my Government which I had the honor to communicate to Your Excellency in my Note No. 111, of date the 11th instant, and pending the receip of further instructions in the premises from my Government, I now very respectfully beg to enter my protest against the said sale as, in my opinion, Mr. George W. Lake, to whom the premises were leased, has not been rightfully dispossessed of his title to the said property.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

(Signed.) EDWIN DUN.

No. 295.

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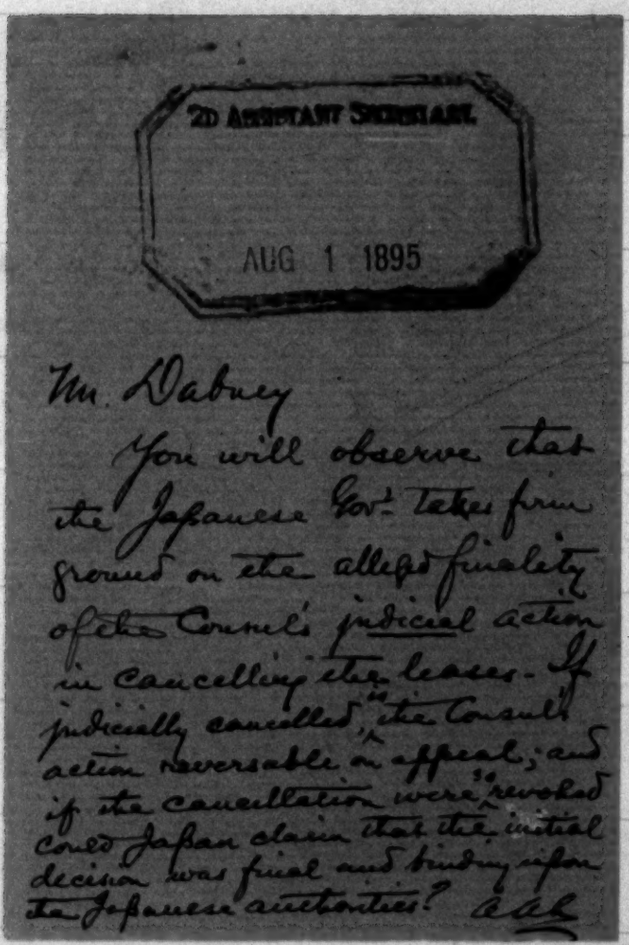
Legation of the United States.
Tokyo, Japan, July 6, 1895.

Mr. Dun

to the Acting Secretary of State

Subject:

Position taken by the Japanese Government in regard to the Lake property at Nagasaki.



Mr. Dabney

You will observe that the Japanese Govt takes firm ground on the alleged finality of the Consul's judicial action in cancelling the leases. If judicially cancelled, the Consul's action reversable on appeal; and if the cancellation were revoked could Japan claim that the initial decision was final and binding upon the Japanese authorities? A.L.

No. 295.

Legation of the United States,
Tokyo, Japan, July 6, 1895.

Honorable Edwin F. Uhl,
Acting Secretary of State,
Washington, D. C.

Sir:-

I have the honor to enclose herewith copy of a note, of date the 4th instant, from H. I. J. Mis. Acting Minister for Foreign Affairs, in reply to my two notes to him dated June 11th and 20th last, relative to the cancellation of the leases of Mr. George W. Lake at

at Nagasaki.

Copies of my two notes, referred to above, to the Acting Minister for Foreign Affairs I had the honor to enclose to you in my Nos. 290 and 294, dated respectively June 18th and July 6th, 1895.

I shall await your instructions before taking any further action in this matter.

I have the honor to be,

Sir

Your obedient servant,

Edwin Dun

Enclosure:

Marquis Saionzi to Mr. Dun, July 4th, 1895.- Copy.

Enclosurewith Mr. Dun's No. 215.

(Copy.)

Translation.

No. 27.

Department of Foreign Affairs,
Tokio, the 4th day, the 7th month,
the 28th year of Meiji.
(July 4, 1895.)

His Excellency
Edwin Dun,
Envoy Extraordinary and Minister Plenipotentiary
of the United States of America.

Sir:-

I have the honor to acknowledge the receipt of Your Excellency's two Notes dated respectively the 11th and 20th ultimo, respecting the land at Nagasaki formerly held under leases by George W. Lake.

I have in accordance with the request of Your Excellency's Government subjected the entire question to a careful re-examination in the light of the considerations advanced by the Honorable the Secretary of State, and I regret to be compelled to say that I have been unable to discover any way in which the Imperial Government can intervene to revive the property interests of Mr. Lake annulled by the U. S. Consul, without arbitrarily disregarding rights which have either been created or have revived in consequence of such annulment.

The exclusive jurisdiction of the U. S. Consul to finally decide the question of default and to pronounce the resulting

penalty

penalty was admitted on all sides;and, so far at least as the Japanese authorities were concerned, it rested with him alone to determine the course of procedure. It was, therefore, manifestly the duty of the Japanese authorities to make their action in the premises conform to the requirements of the Consul. That the proceedings taken by them were, in the estimation of the only person competent to determine the point, su fficient, would seem to be fully established by the fact that the Consul cancelled the leases, and his action, it seems to me, must be regarded as conclusive by the Japanese Authorities, more especially as it was the action of a foreign official taken under the provisions of an existing Treaty.

The default, I understand, was beyond question and the leases left nothing to be desired as to explicitness on the subject of the penalty in case of default. Consequently any irregularity in the procedure, if such existed, could not in the least affect the real merits of the case.

If the actual distinction in the matter of the ownership of the land between the Sagarimatsu and the Kozone-machi lots is kept in view and if the action of the Japanese authorities subsequent to the annulment of Mr. Lake's leases is also taken into consideration, I am persuaded that Your Excellency's Government will find some reason to modify the impression that the Japanese authorities took advantage of Mr. Abercrombie's mistaken course to the detriment of the rights of an American citizen.

The Sagarimatsu lots belong to the Imperial Government

and

and upon the cancellation of George W. Lake's leases, new leases were in good faith issued in favor of Edward Lake, upon application therefor being made through the U. S. Consul who had annulled the earlier instruments. That application, it may be added, was predicated upon the fact that George W. Lake's leases were no longer in force.

The Kozonemachi lot, on the other hand, is the property of a Japanese subject. His title was subject to the lease of George W. Lake so long as that lease was in existence. But when that lease was cancelled, his dormant rights, ipso facto, revived. He is now in possession of the lot and the Imperial Government have, at this time, no more right to compel him again to lease his land or to determine for him the rate of rent, than they have to take his property without just compensation.

The conditions and rent reserved under the new leases to Edward Lake are identical with those contained in George W. Lake's leases and the Imperial Government are in no wise gainers by the cancellation of the lease to the Kozonemachi lot.

The Imperial Government may, therefore, justly claim that the action of the Nagasaki authorities was influenced solely by a desire to see the just and reasonable conditions of the leases in question enforced.

I express the hope in conclusion that this frank explanation will, while satisfying Your Excellency's Government of the perfect good faith of His Imperial Majesty's Government, also convince them of the inability of the Imperial Government

under

under the circumstances, to afford Mr. Lake the desired relief.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

(Signed.) Marquis Siaonzi,

Acting Minister for Foreign Affairs.

DIPLOMATIC BUREAU
AUG 1 1895

No. 296

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JUL 31 1895
DEPT. OF STATE

Legation of the United States.
Tokyo, Japan. July 6, 1895.

Ack'd Aug. 1, 1895

Mr. Dun
to the Acting Secretary of State.

Subject:
Instruction No. 210 missing.

No. 296.

Legation of the United States.
Tokyo, Japan. July 6, 1895.

Honorable Edwin F. Uhl.
Acting Secretary of State,
Washington, D. C.

Sir:

I have the honor to inform that the Department's instruction (May 17) No. 210 has not yet been received though, with that exception, numbers up to 223 are now on file at this Legation.

I have the honor to be,
Sir,
Your obedient servant,
Edwin Dun

Jch

No. 297.

Legation of the United States,
Tokyo, Japan, July 18, 1895.

1895
OF STATE

Mr. Dun
to the Secretary of State.

Subject:
Circular announcing the appointment of Hon. Richard Olney as Secretary of State.

No. 297

Legation of the United States,
Tokyo, Japan, July 18, 1895.

Honorable Richard Olney,
Secretary of State,
Washington, D. C.

Sir:-

I have the honor to
acknowledge receipt of
your circular instruction,
of date June 10, 1895,
informing me that the
President had appointed
you to be Secretary of
State of the United States
and that you had, on

that

that day, entered upon
the duties of the office.

I have the honor to be,
Sir,
Your obedient servant,
Edwin Dunn

2D ASSISTANT SECRETARY.
Ack by subject & file
AUG 8 1895
DIPLOMATIC
AUG 8 1895

No. 298.

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RECD.
AUG 7 1895
DEPT. OF STATE

Legation of the United States,
Tokyo, Japan, July 18, 1895.

Ack'd Aug 9. 1895

Mr. Dun
to the Secretary of State.

Subject:
Mr. Dun will spend a portion
of the summer at Ikao,
near Tokyo.

No. 298.

Legation of the United States,
Tokyo, Japan, July 18, 1895.

Honorable Richard Olney,
Secretary of State,
Washington, D. C.

Sir:-

I have the honor to inform you that I have taken a house at Ikao, a mountain resort seven hours ride from and in telegraphic communication with Tokyo, where I expect to spend a portion of my time during the months

of

of July, August and September of this year, in order to escape, as far as possible, the intense heat of the Japanese summer.

The Legation will, however, be kept open during the usual office hours for the transaction of routine business and I shall visit Tokyo every few days to attend to such matters as require my personal attention, and in order to receive and forward the mail from and to the Department.

From

No. 298. II

From Mr. Bayard's instruction No. 101, of date November 6, 1886, to Mr. Hubbard, then Minister to Japan, it appears that leave in advance is not required in instances like the present. In acting in accordance with the spirit of that instruction, I trust that my action may meet with your approval.

I have the honor to be,

Sir,

Your obedient Servant,

Edwin Dun

TELEGRAM RECEIVED. in Cipher

From Tokio

July 19, 1895.

Received " 19 M.

Olney Washington

Confirmed July 19/95

July 19 Has Stephen Donsal been Commissioned Second Secretary of Legation?

Dunn

Deciphered July 19. '95; 9.30 Am RL

2D ASSISTANT SECRETARY
Ack & file.
AUG 23 1895

Aug 26. 95

DIPLOMATIC BUREAU
AUG24 1895

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REC'D.
AUG 23 1895
DEPT. OF STATE

Legation of the United States
Yokio. Japan July 20th 95

Mr Bousal
to the
Secretary of State

Subject
Mr Bousal Second-Secretary
of Legation reports his
arrival at Yokio to
the Department

No

Legation of the United States
Tokio July 20th 95

Honorable
Richard Olney
Secretary of State
Washington -

Sir:

I have the honor to inform you that in accordance to my instructions I left Baltimore Md. on June 6th and reported for duty to the Hon Edwin Dun U.S Minister to Japan on July 5th

I have the honor to be Sir
Your obedient Servant
Stephen Bonsal

No

Legation of the United States
Tokio - Japan - July 8th

INDEX BUREAU
REC'D.
AUG 23 1895
DEPT. OF STATE

DIPLOMATIC BUREAU
SEP 10 1895

Mr Bonsal
to the
Secretary of State

Rec'd Sept 11.

Subject

In regard to the adjustment of his account while Secretary of the U.S. Legation in Madrid by the Treasury

No

Legation of the United States
Yokio - Japan July 20th

Honorable Richard Olney
Secretary of State
Washington -

Sir -

I beg to inform you that I have received through the State Department a letter from the Treasury (Auditor for the State & other Departments) under date of June 10th setting forth the manner in which my accounts should hereafter of the

U.S. Legation in Madrid have been settled.

In accordance with the instruction contained in this letter I have drawn upon you for $209.57 the amount which the auditor finds due me & beg to call your attention to the fact that the auditor of the treasury is in error in disallowing my pay from Oct 20th to Oct 26th inclusive on the ground that I was away from my Room in on Oct 27th. This is quite true as far as it goes but my Commission as

Secretary of the United States Legation in China until I was sworn in as Secretary of the Legation in Madrid.

I am not unaware of the fact, that under the Statute, during the six months I acted in Madrid under my Pekin Commission, I am entitled to the Salaries of both posts I have no the slightest idea of taking advantage of any such legal provision and I think you will agree with me that I am at least

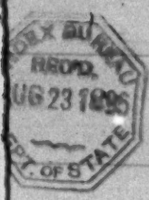
entitled to any Salary either
at the Pekin or the Madrid
Note during the time I acted as
Secretary of Legation in Madrid
and I beg that you
will direct the Financial
Bureau to authorize me
to draw upon the Department
for seven days Salary
as Secretary of Legation
at the Pekin. Rate of
Salary -

I have the honor to be
Sir
Your obedient humble
Servant
[redacted] Bonsal

Confidential

Rec'd by Submarine

No 299



Legation of the United States

Tokio Japan

July 23rd

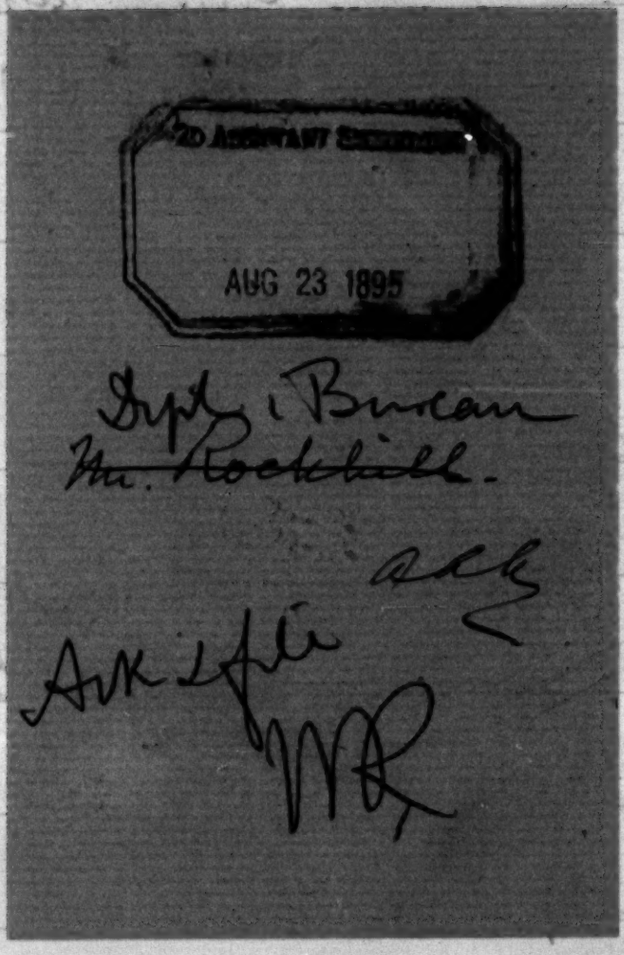
Rec'd Aug. 28.

Mr Olney

Secretary of State

Subject

Injuries made of Japan by Russia France and Germany relative to the evacuation of the Liaotung Peninsula and the free navigation of the Formosan Channel.


2D ASSISTANT SECRETARY
AUG 23 1895
Supt's Bureau
Mr. Rockhill.
Ack'd

No 299

Legation of the United States

Confidential

Yokohama, May 23rd 1895

Sir:

I have the honor to inform you that the Consulate here has received a telegram from Richard Olney Secretary of State Washington

In response to this dispatch I have attended the 20th of May [illegible] the representatives of Russia, Germany and France under instructions from their respective governments, made the following inquiries of the Japanese

Japanese Government

1st. When will Japan evacuate the Liaotung Peninsula?

2nd. What indemnity will be demanded from China in Compensation therefor?

3rd. Will Japan guarantee the free navigation of the Formosan Channel?

In response to the above the June 5th last the Japanese Minister made a counter inquiry of the representatives of the three powers to the following effect. "In case Japan obtained pine satisfactory answers to the inquiries made by the powers would they

the

the powers to be disposed to
support Japan in her negotiations
with China for a satisfactory
compensation if necessary by force:
opening of ports to general
trade; powers already for
China residents in the
Peninsula will may have
Compromised themselves by
their relations with the
Japanese authorities during
the war, and a guarantee
that the friends of Japan
overseas in the Peninsula
should be respected for the
surrender of the Peninsula-
ese or absolute right to
the representatives of the three

Powers

Powers replied to Japan's earlier inquiry to the following effect: that while their governments were prepared to lend their moral support to Japan in securing general acquiescence by Chinese residents in the Peninsula and to guarantee that the treaties of the Japanese should be respected they cannot not interfere in the domestic affairs of China to the extent of supporting Japan in her demands for concessions in the interest of general foreign trade and for a pecuniary indemnity-

the

On the 19th instant the Japanese Government made a declaration to the Representatives of the Powers to the following effect:

That the indemnity also demanded from China in Compensation for the Surrender of the Liaotung Peninsula should not exceed fifty million taels; that when the payment of that sum by China to Japan together with the first instalment of the war indemnity pursuant to the Shimonoseki Peace Conference Japan should evacuate all but the

Southern

southern portion of Port Arthur
and Dalien-wan) of the
Liaotung Peninsula and
upon the payment by
China of the second
instalment of the war
indemnity Japan should
withdraw entirely from
the Peninsula
In regard to the navigation
of the Yangtsze Channel
Japan declared that as
these waters were a part
of the high seas and as
such were open to the
commerce of the world
Japan could exercise no
control over navigation
in

in those waters.

I received the information communicated herein confidentially from the Japanese Foreign office.

I understand that all the inquiries and the replies that passed between the Japanese Government and the representatives of the three Foreign Powers were verbal

I have the honor to be

Sir

Your obedient Servant

Edwin Dun

DIPLOMATIC BUREAU
AUG23 1895

No 300

INDEX BUREAU
REC'D.
AUG 23 1895
DEPT. OF STATE

Legation of the United States
Tokio July 26th 1895

✓ rec'd aug 24 1895

Mr Dun
to the
Secretary of State.

Subject
Mr Dun announces the
arrival in Tokio of Mr
Bousal recently appointed
Second-Secretary of the
Legation in Japan

No

Legation of the United States
Tokio. Japan July 26th 95

Honorable
Richard Olney
Secretary of State
Washington.

Sir.

I beg to inform you that
Mr Stephen Bonsal of Maryland
recently appointed by the
President Second Secretary to
this Legation reached Tokio
and reported to me

on

on July 5th

Have the honor to be

Your obedient Servant

Edwin Denn

DIPLOMATIC BUREAU
AUG23 1895

No 31

INDEX BUREAU
REC'D.
AUG 23 1895
DEPT. OF STATE

United States Legation
Yokyo July 26th 95

✓ acc'd
Aug. 24/95

Mr Alvey
to the
Secretary of State

Subject
The date of Mr Bousal's
arrival in Yokyo

No 301

United States Legation.

Tokyo. July 26th 95

Honorable

Richard Olney

Secretary of State

Washington

Sir.

In explanation of my telegram to you of the 19th instant I beg to inform you that although Mr Bonsal Second Secretary of this Legation reported to me on the 5th instant, owing to the miscarriage in the mails

mails of his Commission
and other Papers & had
no official or authoritative
information of his appointment
until the receipt of your
Orders telegram of the
19th instant, in reply to
my inquiry

Have the honor to be
Sir
Your obedient Servt
Edwin Dun

INDEX BUREAU
RECD.
AUG 23 1895
DEPT. OF STATE

AUG23 1895

No. 302 acknowledged

Legation of the United States,

Tokio, Japan, July 27, 1895:

Mr. Shun

to the Secretary of State.

Subject:

Confirming telegrams of July 19, 1895:

No. 302.

Legation of the United States
Tokio, Japan, July 27, 1895.

Honorable
Richard Olney,
Secretary of State,
Washington, D. C.

Sir:

I have the honor to enclose herewith readings of telegrams as follows:

1/ Mr. Dun to the Secretary of State.
July 19, 1895.

2/ Secretary of State to Mr. Dun,
July 19, 1895.

I have the honor to be,
Sir,
Your

Your obedient servant,

Edwin Ouu

Enclosures:

Readings of two telegrams as above.

Enclosure with Mr. Dun's No. 302

Mr. Dun to the Secretary of State.

Tokyo, Japan, July 19th, 1895.

' Olney, Washington:

' July nineteenth. Has Stephen Bonsal been commissioned Second

' Secretary of Legation.

DUN."

No. 2

Enclosure with Mr. Dun's No. 302

Secretary of State to Mr. Dun.

Washington , July 19th, 1895.

Dun, Tokio:

" Bonsal's commission sent June eight.

ADEE."

2D ASSISTANT SECRETARY
Accepted. aaa
AUG 28 1895

INDEX BUREAU
RECD.
AUG 21 1895
DEPT. OF STATE

No. 303.

Legation of the United States.

Tokyo, Japan, July 31, 1895.

To Mr. Whitney
Aug 28. '95
Appointed Mr. Dun
Aug. 30, 1895
Mr. Dun

DIPLOMATIC BUREAU
AUG 28 1895

Copy sent to the Secretary Aug 22. aaa

to the Secretary of State.

Subject:

Resignation of Interpreter of Legation, - Mr. Willis Norton Whitney.

No. 303.

Legation of the United States
Tokio, Japan, July 31, 1895.

Honorable Richard Olney
Secretary of State
Washington - D.C.

Sir:

I have the honor to enclose herewith the resignation of Mr. Willis Norton Whitney as Interpreter of this Legation, to take effect upon the arrival or qualification of his successor at this Legation.

I have the honor to be, Sir,
Your obedient servant
Edwin Dun

Enclosure: As above.

312 Camden Road

London England, June 26th 1895

To the Honorable Richard Olney,

Secretary of State,

Washington, D.C.

Sir

I have the honor, herewith, to tender my resignation as Interpreter to the United States Legation in Japan to take effect upon the arrival or qualification of my successor, or at such time as may suit the convenience of the Minister at Tokyō.

In explanation of the foregoing I beg to state that while it has been my purpose to resign for some time past, it was

not

not at the time of leaving Japan my intention to have done so until the middle of 1896, but the very serious and almost fatal illness of our young child upon the voyage hither and the consequent advisability of remaining longer than at first contemplated has determined me to take the step at once.

I also beg to express my gratitude for the consideration shown me during the twelve years I have remained in the service of the Department.

I have the honor to be,

Sir,

Your obedient-servant.

Willis Norton Whitney

DIPLOMATIC BUREAU
RECD.
AUG 21 1895
DEPT. OF STATE

DIPLOMATIC BUREAU
SEP 4 1895

No. 304

Legation of the United States,
Tokio, Japan, July 31, 1895.

Commission sent Sept. 5.
Mr. Mills Miller Sept. 5, 95

Mr. Uhl
to the Secretary of State.

Subject:
Recommending Mr. R. S. Miller Jr. for appointment to the post of Interpreter of Legation.

No. 304.

Legation of the United States
Tokio, Japan, July 31, 1895.

The Honorable Richard Olney,
Secretary of State
Washington. D.C.

Sir

I have the honor to transmit herewith my despatch No. 303 of this date enclosing the resignation of Mr. W. N. Whitney as Interpreter of this Legation and to recommend his appointment to the post thus made vacant Mr. Ransford Stevens Miller, Jr., of Ithaca, New York, who has been acting Interpreter of Legation in the absence of Mr. Whitney

Since

since February last.

I heartily recommend Mr. Miller as thoroughly competent in every respect to fill the post. His character and standing in the community here are of the very best and I am confident that his appointment would be gratifying to all Americans in Japan who know him, as well as to his large circle of friends among Japanese and other nationalities here.

Mr. Miller is a graduate of Cornell University, class 1888. He has been in Japan for several years and by close application to the study of the language has learned to speak Japanese very well indeed, and is now a fair scholar in the written language.

9

II. – No. 304.

I have the honor to be,

Sir,

Your obedient servant.

Edwin Dun